



# *The Journal* OF THE *House of Representatives*

Number 11

Thursday, April 6, 2006

The House was called to order by the Speaker at 9:00 a.m.

Traviesa  
Troutman

Vana  
Waters

Williams  
Zapata

## Prayer

The following prayer was offered by the Reverend Marcius King of St. Matthew AME in Jacksonville, upon invitation of Rep. A. Gibson:

Most holy and eternal God, our Father, we come before Your divine presence with thanksgiving upon our lips. We thank You, O God, for the manifold blessings which Thou has so graciously manifested upon us. We thank You for this day and we realize, O God, that this is the day that You have made and we shall rejoice and be glad to be in it. We're thankful, O God, because we realize that without You we are nothing, but with You we are more than conquerors through Thy son, Jesus Christ. We pray, God, that You would bless every Representative here. Guide their minds, guide their hearts, that they would make the right decisions for Your people. We pray that You bless our nation and the nations of the world. Bless our great state, our Governor, the President of these United States. These and all blessings we ask in Thy son, Jesus' name. Amen and Amen.

The following members were recorded present:

Session Vote Sequence: 713

Speaker Bense in the Chair.

Adams	Cusack	Holloway	Pickens
Altman	Davis, D.	Homan	Planas
Ambler	Davis, M.	Hukill	Poppell
Anderson	Dean	Johnson	Porth
Antone	Domino	Jordan	Proctor
Ausley	Evers	Joyner	Quinones
Barreiro	Farkas	Justice	Reagan
Baxley	Fields	Kendrick	Rice
Bean	Flores	Kottkamp	Richardson
Bendross-Mindingall	Galvano	Kravitz	Rivera
Bense	Gannon	Kreegel	Robaina
Benson	Garcia	Legg	Roberson
Berfield	Gardiner	Littlefield	Ross
Bilirakis	Gelber	Llorente	Rubio
Bogdanoff	Gibson, A.	Lopez-Cantera	Russell
Bowen	Gibson, H.	Machek	Ryan
Brandenburg	Glorioso	Mahon	Sands
Brown	Goodlette	Mayfield	Sansom
Brummer	Gottlieb	McInvale	Seiler
Bucher	Grant	Meadows	Simmons
Bullard	Greenstein	Mealor	Slosberg
Cannon	Grimsley	Murzin	Smith
Carroll	Harrell	Needelman	Sobel
Clarke	Hasner	Negron	Stansel
Coley	Hays	Patterson	Stargel
Cretul	Henriquez	Peterman	Taylor

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

## Pledge

The members, led by the following, pledged allegiance to the Flag: Matthew Wiley of Tallahassee at the invitation of the Speaker pro tempore; Samantha Thornton of Longwood at the invitation of Rep. Simmons; Dylan Chase of New Port Richey at the invitation of Rep. Legg; Wesley Fishman of Miami at the invitation of Rep. Robaina; and Carly-Ann Borden of Pensacola at the invitation of Rep. Benson.

## Presentation of Pages

Rep. Stargel introduced the following individuals from Noah's Ark of Central Florida, Inc. in Lakeland who served as pages at the invitation of Rep. Littlefield: Teri Fogh, Brittany Kosik, Latoya Canady, Karen Scheidig, Bill Warnock, Joann Wood, and A.J. Trueblood.

## Correction of the *Journal*

The *Journal* of April 5 was corrected and approved as follows: On page 327, column 2, line 19 from the top, between the words "passed" and "and" insert ", as amended,"

## Reports of Councils and Standing Committees

### Reports of the Rules & Calendar Council

*The Honorable Allan G. Bense*  
*Speaker, House of Representatives*

April 3, 2006

*Dear Mr. Speaker:*

Your Rules & Calendar Council herewith submits the Special Order for Thursday, April 06, 2006. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

HB 5001 - Fiscal Council, Negron  
Appropriations

HB 5003 - Fiscal Council, Negron

Implementing the 2006-2007 General Appropriations Act

HB 5005 - Fiscal Council, Pickens  
Education Funding

HB 5007 - Fiscal Council, Bean  
Health Care

HB 5009 - Fiscal Council, Bean  
Substance Abuse and Mental Health Services Funding

HB 5011 - Fiscal Council, Bean  
Foster Care and Related Services

HB 5013 - Fiscal Council, Bean  
Client Services Fee Collections

HB 5015 - Fiscal Council, Bean  
Social Services

HB 5017 - Fiscal Council, Barreiro  
Corrections

HB 5019 - Fiscal Council, Barreiro  
Juvenile Justice

HB 5021 - Fiscal Council, Negron  
Sexually Violent Predators

HB 5023 - Fiscal Council, Berfield  
Employee Benefits

HB 5025 - Fiscal Council, Berfield  
Retirement

HB 5027 - Fiscal Council, Mayfield  
Distributions from the Fuel Tax Collection Trust Fund

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,  
*J. Dudley Goodlette*, Chair  
Rules & Calendar Council

On motion by Rep. Goodlette, the above report was adopted.

## Bills and Joint Resolutions on Third Reading

**HB 1567**—A bill to be entitled An act relating to eminent domain; creating s. 73.013, F.S.; restricting certain transfers of property taken by eminent domain to certain natural persons or private entities; amending s. 163.335, F.S.; providing legislative findings and declarations; amending s. 163.355, F.S.; requiring disclosure of eminent domain authority in resolutions finding slum or blight conditions; providing for notice to property owners and business owners or lessees and requirements therefor; providing for hearings and advertising requirements therefor; amending s. 163.358, F.S.; providing that the power of eminent domain does not vest in a community redevelopment agency but rather with the governing body of a county or municipality; amending s. 163.360, F.S.; requiring disclosure of eminent domain authority in community redevelopment plans; amending s. 163.370, F.S.; revising powers of community redevelopment agencies with respect to the acquisition of real property; amending s. 163.375, F.S.; revising eminent domain authority and procedures, including notice, hearings, and challenge; amending ss. 127.01 and 127.02, F.S.; requiring county compliance with eminent domain limitations; amending ss. 166.401 and 166.411, F.S.; requiring municipal compliance with eminent domain limitations; providing application; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 714

Speaker Bense in the Chair.

Yeas—116

Adams	Cretul	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Johnson	Quinones
Ambler	Davis, M.	Jordan	Reagan
Anderson	Dean	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Rubio
Bean	Gannon	Legg	Russell
Bendross-Mindingall	Garcia	Littlefield	Ryan
Bense	Gardiner	Llorente	Sands
Benson	Gelber	Lopez-Cantera	Sansom
Berfield	Gibson, A.	Machek	Seiler
Bilirakis	Gibson, H.	Mahon	Simmons
Bogdanoff	Glorioso	Mayfield	Slosberg
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

## Explanation of Vote for Sequence Number 714

Nothing is more fundamental to our democracy and free form of government than the right to own private property free of government intervention, control and TAKING. We now have government taxes on our property to the point we feel like renters of the property from the government instead of owners. Government zones our land use to the point of violation of our private property rights. Now is the time to strike back for freedom. To reaffirm that this is a govt based on individual rights, private property rights and citizen control of our laws.

*Rep. Bob Allen—District 32*

So the bill passed, as amended, and was certified to the Senate.

**HJR 1569**—A joint resolution proposing an amendment to Section 6 of Article X of the State Constitution relating to eminent domain.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 of Article X of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

### ARTICLE X MISCELLANEOUS

#### SECTION 6. Eminent domain.--

(a) No private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner.

(b) Provision may be made by law for the taking of easements, by like proceedings, for the drainage of the land of one person over or through the land of another.

(c) If a petition is filed on or after January 2, 2007, to initiate eminent domain proceedings regarding a parcel of real property in this state, ownership or control of property acquired pursuant to such petition shall not be conveyed by the condemning authority or any other entity to a natural person or private entity, except that ownership or control of property acquired pursuant to such petition may be conveyed to:

(1) A natural person or private entity for use in providing common carrier services or systems;

(2) A natural person or private entity for use as a road or other right-of-way or means open to the public for transportation, whether at no charge or by toll;

(3) A natural person or private entity that is a public or private utility for use in providing electricity services or systems, natural or manufactured gas services or systems, water and wastewater services or systems, stormwater or runoff services or systems, sewer services or systems, pipeline facilities, telephone services or systems, or similar services or systems;

(4) A natural person or private entity for use in providing public infrastructure;

(5) A natural person or private entity that occupies, pursuant to a lease, an incidental part of a public property or a public facility for the purpose of providing goods or services to the public;

(6) A natural person or private entity if the property was owned and controlled by the condemning authority or a governmental entity for at least 5 years after the condemning authority acquired title to the property; or

(7) A natural person or private entity in accordance with subsection (d).

(d) If ownership of property is conveyed to a natural person or private entity pursuant to any of paragraphs (c)(1)-(5), and that natural person or private entity retains ownership and control of the property for at least 5 years after acquiring title, the property may subsequently be transferred to another natural person or private entity without restriction.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

#### CONSTITUTIONAL AMENDMENT

##### ARTICLE X, SECTION 6

EMINENT DOMAIN.--Proposing an amendment to the State Constitution to prohibit the transfer of ownership or control of private real property taken by eminent domain pursuant to a petition filed on or after January 2, 2007, to any natural person or private entity, except that:

(a) Ownership or control of such property may be conveyed to:

(1) A natural person or private entity for use in providing common carrier services or systems;

(2) A natural person or private entity for use as a road or other right-of-way or means open to the public for transportation, whether at no charge or by toll;

(3) A natural person or private entity that is a public or private utility for use in providing electricity services or systems, natural or manufactured gas services or systems, water and wastewater services or systems, stormwater or runoff services or systems, sewer services or systems, pipeline facilities, telephone services or systems, or similar services or systems;

(4) A natural person or private entity for use in providing public infrastructure;

(5) A natural person or private entity that occupies, pursuant to a lease, an incidental part of a public property or a public facility for the purpose of providing goods or services to the public;

(6) A natural person or private entity if the property was owned and controlled by the condemning authority or a governmental entity for at least 5 years after the condemning authority acquired title to the property; or

(7) A natural person or private entity in accordance with subsection (b).

(b) If ownership of property is conveyed to a natural person or private entity pursuant to any of paragraphs (a)(1)-(5), and that natural person or private entity retains ownership and control of the property for at least 5 years after acquiring title, the property may subsequently be transferred to another natural person or private entity without restriction.

—was read the third time by title.

#### REPRESENTATIVE FARKAS IN THE CHAIR

On passage, the vote was:

Session Vote Sequence: 715

Representative Farkas in the Chair.

Yeas—92

Adams	Cretul	Homan	Planas
Allen	Davis, D.	Hukill	Poppell
Altman	Davis, M.	Johnson	Porth
Ambler	Dean	Jordan	Proctor
Anderson	Domino	Justice	Quinones
Arza	Evers	Kendrick	Reagan
Attkisson	Farkas	Kottkamp	Rice
Ausley	Fields	Kravitz	Rivera
Barreiro	Flores	Kreegel	Robaina
Baxley	Galvano	Kyle	Roberson
Bean	Gannon	Legg	Ross
Benson	Garcia	Littlefield	Rubio
Berfield	Gardiner	Llorente	Russell
Bilirakis	Gelber	Lopez-Cantera	Sansom
Bogdanoff	Gibson, H.	Mahon	Simmons
Bowen	Glorioso	Mayfield	Stansel
Brandenburg	Goldstein	McInvale	Stargel
Brown	Goodlette	Mealor	Traviesa
Brummer	Grant	Murzin	Troutman
Cannon	Grimsley	Needelman	Vana
Carroll	Harrell	Negron	Waters
Clarke	Hasner	Patterson	Williams
Coley	Hays	Pickens	Zapata

Nays—23

Antone	Gibson, A.	Machek	Seiler
Bendross-Mindingall	Gottlieb	Meadows	Slosberg
Brutus	Greenstein	Peterman	Smith
Bucher	Henriquez	Richardson	Sobel
Bullard	Holloway	Ryan	Taylor
Cusack	Joyner	Sands	

Votes after roll call:

Yeas—Sorensen

#### Explanation of Vote for Sequence Number 715

Nothing is more fundamental to our democracy and free form of government than the right to own private property free of government intervention, control and TAKING. We now have government taxes on our property to the point we feel like renters of the property from the government instead of owners. Government zones our land use to the point of violation of our private property rights. Now is the time to strike back for freedom. To reaffirm that this is a govt based on individual rights, private property rights and citizen control of our laws. The people have a right to place this in their Constitution so there will be no doubt.

*Rep. Bob Allen—District 32*

So the joint resolution passed, as amended, by the required constitutional three-fifths vote of the membership and was certified to the Senate.

**HJR 1571**—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to provide an additional circumstance for assessing homestead property at less than just value.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

#### ARTICLE VII

##### FINANCE AND TAXATION

SECTION 4. Taxation; assessments.--By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for noncommercial recreational purposes

may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

(c) All persons entitled to a homestead exemption under Section 6 of this Article shall have their homestead assessed at just value as of January 1 of the year following the effective date of this amendment. This assessment shall change only as provided herein.

(1) Assessments subject to this provision shall be changed annually on January 1st of each year; but those changes in assessments shall not exceed the lower of the following:

a. Three percent (3%) of the assessment for the prior year.

b. The percent change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics.

(2) No assessment shall exceed just value.

(3) After any change of ownership, as provided by general law, homestead property shall be assessed at just value as of January 1 of the following year, unless the provisions of subsection (8) apply. Thereafter, the homestead shall be assessed as provided herein.

(4) New homestead property shall be assessed at just value as of January 1st of the year following the establishment of the homestead, unless the provisions of subsection (8) apply. That assessment shall only change as provided herein.

(5) Changes, additions, reductions, or improvements to homestead property shall be assessed as provided for by general law; provided, however, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided herein.

(6) In the event of a termination of homestead status, the property shall be assessed as provided by general law.

(7) The provisions of this amendment are severable. If any of the provisions of this amendment shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this amendment.

(8) When a person's homestead property in this state is taken by power of eminent domain and within two years the person establishes another property as homestead property, the newly established homestead property shall be initially assessed at less than just value, as provided by general law. The difference between the new homestead property's just value and its assessed value in the first year the homestead is established may not exceed the difference between the previous homestead property's just value and its assessed value in the year the homestead property was taken by eminent domain. In addition, the assessed value of the new homestead property must equal or exceed the assessed value of the previous homestead property. Thereafter, the homestead property shall be assessed as provided herein.

(d) The legislature may, by general law, for assessment purposes and subject to the provisions of this subsection, allow counties and municipalities to authorize by ordinance that historic property may be assessed solely on the basis of character or use. Such character or use assessment shall apply only to the jurisdiction adopting the ordinance. The requirements for eligible properties must be specified by general law.

(e) A county may, in the manner prescribed by general law, provide for a reduction in the assessed value of homestead property to the extent of any increase in the assessed value of that property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive grandparents or parents of the owner of the property or of the owner's spouse if at least one of the grandparents or parents for whom the living quarters are provided is 62 years of age or older. Such a reduction may not exceed the lesser of the following:

(1) The increase in assessed value resulting from construction or reconstruction of the property.

(2) Twenty percent of the total assessed value of the property as improved.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

## CONSTITUTIONAL AMENDMENT

### ARTICLE VII, SECTION 4

ASSESSMENT OF NEWLY ESTABLISHED HOMESTEAD PROPERTY AFTER EMINENT DOMAIN TAKING OF PREVIOUS HOMESTEAD PROPERTY.—Proposing an amendment to the State Constitution to provide for assessing at less than just value property established as homestead property within 2 years after a previous homestead property is taken by eminent domain, to provide that the difference between the new homestead property's just value and its assessed value in the first year may not exceed the difference between the previous homestead property's just value and its assessed value in the year the previous homestead property was taken by eminent domain, and to provide that the assessed value of the new homestead property must equal or exceed the assessed value of the previous homestead property.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 716

Representative Farkas in the Chair.

Yeas—116

Adams	Cretul	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Johnson	Quinones
Ambler	Davis, M.	Jordan	Reagan
Anderson	Dean	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Rubio
Bean	Gannon	Legg	Russell
Bendross-Mindingall	Garcia	Littlefield	Ryan
Bense	Gardiner	Llorente	Sands
Benson	Gelber	Lopez-Cantera	Sansom
Berfield	Gibson, A.	Machek	Seiler
Bilirakis	Gibson, H.	Mahon	Simmons
Bogdanoff	Glorioso	Mayfield	Slosberg
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

So the joint resolution passed, as amended, by the required constitutional three-fifths vote of the membership and was certified to the Senate.

**HB 273**—A bill to be entitled An act relating to outdoor advertising; amending s. 479.106, F.S.; revising provisions relating to the proximity of vegetation and beautification projects to outdoor advertising signs; prohibiting planting that will block the signs; specifying distances that constitute a view zone on interstate highways, expressways, federal-aid primary highways, and the State Highway System for outdoor advertising signs; authorizing the Department of Transportation and owners of outdoor advertising signs to enter into agreements identifying view zone locations; providing for a claim of violation of view zone clearance requirements; providing procedures; providing for award of compensation; exempting certain curative measures from department permit requirements; requiring notice to the department; limiting liability of certain service providers under

certain circumstances; providing for application to certain existing agreements; amending s. 479.25, F.S.; revising provisions for height increase of certain outdoor advertising signs; authorizing the height to be increased if visibility is blocked due to installation of certain noise-attenuation barriers; requiring sign reconstruction to meet certain requirements of the Florida Building Code; requiring notice by the department to the local government or jurisdiction; providing for resolution when a sign height increase would conflict with local ordinances or land development regulations; providing for a survey of impacted property owners; providing for a public hearing; providing for application to certain existing agreements; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 717

Representative Farkas in the Chair.

Yeas—100

Adams	Clarke	Hukill	Porth
Allen	Coley	Johnson	Proctor
Altman	Cretul	Jordan	Quinones
Ambler	Cusack	Joyner	Reagan
Anderson	Davis, D.	Kendrick	Rice
Antone	Davis, M.	Kottkamp	Richardson
Arza	Dean	Kravitz	Rivera
Attkisson	Domino	Kreegel	Robaina
Ausley	Evers	Kyle	Roberson
Barreiro	Farkas	Littlefield	Ross
Baxley	Fields	Llorente	Rubio
Bean	Flores	Lopez-Cantera	Russell
Bendross-Mindingall	Galvano	Machek	Sands
Bense	Garcia	Mahon	Sansom
Benson	Gardiner	Mayfield	Simmons
Berfield	Gibson, H.	McInvale	Slosberg
Bilirakis	Glorioso	Meadows	Smith
Bogdanoff	Goldstein	Mealor	Stansel
Bowen	Goodlette	Murzin	Stargel
Brandenburg	Grant	Needelman	Taylor
Brown	Grimsley	Negron	Traviesa
Brutus	Harrell	Patterson	Troutman
Bullard	Hasner	Peterman	Waters
Cannon	Hays	Pickens	Williams
Carroll	Holloway	Poppell	Zapata

Nays—16

Brummer	Gibson, A.	Homan	Ryan
Bucher	Gottlieb	Justice	Seiler
Gannon	Greenstein	Legg	Sobel
Gelber	Henriquez	Planas	Vana

Votes after roll call:

Yeas—Sorensen

Nays to Yeas—Gannon, Greenstein

So the bill passed, as amended, and was certified to the Senate.

**HB 151**—A bill to be entitled An act relating to law enforcement; amending s. 790.065, F.S.; requiring the Department of Law Enforcement to review any records available to evaluate a potential buyer or transferee of a firearm, including an adjudication of mental defectiveness or a commitment to a mental institution as criteria that prohibit a person from purchasing a firearm; providing definitions; requiring the department to maintain an automated database of persons who are prohibited from purchasing a firearm; requiring each clerk of court to submit certain court records to the department within a certain period; requiring the department to delete certain records from the automated database upon the request of an individual meeting specified conditions; authorizing the department to disclose collected data to other federal or state agencies with regard to the sale or transfer of a firearm; authorizing the department to disclose certain information to the Department of Agriculture and Consumer Services for determining the eligibility of an applicant for a concealed weapons or concealed firearms license; requiring

the clerk of court or mental hospital to provide additional information upon request following an appeal of an unapproved sale or transfer of a firearm; amending s. 914.25, F.S.; providing for recertification for protective services for an additional period, with reimbursement for expenses from the Victim and Witness Protection Review Committee; providing for unlimited protective services for a victim or witness without reimbursement; amending s. 937.021, F.S.; providing immunity to the Department of Law Enforcement, other law enforcement agencies, media representatives, and dealers of communications services from civil liability for complying in good faith with a request to record or report information of an Amber Alert or Missing Child Alert; providing that a technical or clerical error or incorrect or incomplete information does not overcome the presumption of good faith in reporting information about an Amber Alert or Missing Child Alert; providing that it is a discretionary decision to report, record, or display Amber Alert or Missing Child Alert information received from the local law enforcement agency having jurisdiction; amending s. 938.07, F.S.; requiring that a portion of certain court costs imposed for a conviction of driving or boating under the influence be deposited into the Operating Trust Fund of the Department of Law Enforcement instead of the Criminal Justice Standards and Training Trust Fund; amending s. 938.27, F.S.; requiring that investigative costs recovered on behalf of the Department of Law Enforcement be deposited into the department's Forfeiture and Investigative Trust Fund; amending s. 943.052, F.S.; requiring that disposition reports for dispositions relating to minor offenders are mandatory after a specified date; amending s. 68.07, F.S.; requiring a set of fingerprints as part of a name change petition; amending s. 943.05, F.S.; authorizing the Department of Law Enforcement to retain fingerprints in certain circumstances and use retained fingerprints for certain purposes; providing for an annual fee; providing for waiver of the fee for good cause shown; providing for free services for certain purposes; amending s. 943.053, F.S.; requiring the department to make certain information available to judges; limiting use of information; authorizing a criminal justice agency to obtain a criminal history background check of a noncertified agency employee by submitting fingerprints to the department; requiring that the criminal history check be provided by the department in certain circumstances; amending s. 943.0585, F.S.; prohibiting a court from expunging a criminal history record containing certain sexual offenses or certain offenses that require registration as a sexual offender; requiring a valid certificate of eligibility for expunction in a petition to expunge a criminal history record; specifying the time during which a certificate of eligibility for expunction is valid; requiring that a trial may not have occurred in order for a person to obtain a statement from the state attorney authorizing the expunction of a criminal record; authorizing a person who has secured a prior sealing of a criminal history record to seek a certificate of eligibility for expunction if the criminal history record was previously sealed for a certain number of years and is otherwise eligible for expunction; providing that a person who is seeking authorization for employment within or access to a seaport may not deny or fail to acknowledge arrests covered by expunged records; providing that the department may acknowledge expunged criminal history records under certain circumstances; prohibiting seaport employees from disclosing expunged criminal history record information except to certain persons; providing penalties; amending s. 943.059, F.S.; enumerating certain sexual offenses and offenses that require registration as a sexual offender which may not be sealed; requiring a valid certificate of eligibility for sealing in a petition to seal a criminal history record; specifying the period during which a certificate of eligibility for sealing is valid; providing that the information contained in a sealed criminal record is available to a criminal justice agency for the purpose of conducting a criminal history background check for approval of a firearms purchase or transfer; prohibiting a person from denying arrests covered by his or her sealed criminal record when attempting to purchase a firearm; providing that a person who is seeking authorization for employment within or access to a seaport may not deny or fail to acknowledge arrests covered by sealed records; providing that the department may acknowledge sealed criminal history records under certain circumstances; prohibiting seaport employees from disclosing sealed criminal history record information except to certain persons; providing penalties; amending s. 943.13, F.S.; requiring the department to enter law enforcement, correctional, and correctional probation officers' fingerprints into a statewide automated

fingerprint identification system; requiring the department to search each arrest fingerprint card received against fingerprints retained in the statewide automated fingerprint identification system; providing for refingerprinting by a certain date; amending ss. 943.1715 and 943.1716, F.S.; deleting the minimum number of hours required for basic skills training and continued employment training relating to diverse populations for law enforcement, correctional, and correctional probation officers; repealing s. 943.2569, F.S., relating to an annual financial audit of criminal justice selection centers; amending s. 943.257, F.S.; authorizing the Criminal Justice Standards and Training Commission and the advisory board of a criminal justice selection center to inspect and copy any documents from a center in order to carry out oversight responsibilities, including documents pertaining to any internal or independent audits; amending s. 943.401, F.S.; requiring the department to investigate all public assistance that is provided by the state; requiring public assistance recipients to consent in writing to an investigation into their employment and financial histories by the Agency for Workforce Innovation; requiring the department to report the results of the investigations to the Agency for Workforce Innovation; authorizing the department to purchase goodwill and promotional materials; limiting the annual amount of such expenditures; prohibiting the unauthorized use of the department's emblems and names; providing a penalty; amending s. 932.7055, F.S.; deleting certain reporting requirements; repealing s. 932.707, F.S., relating to penalty for noncompliance with reporting requirements; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 718

Representative Farkas in the Chair.

Yeas—115

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Johnson	Quinones
Altman	Davis, M.	Jordan	Reagan
Ambler	Dean	Joyner	Rice
Anderson	Domino	Justice	Richardson
Antone	Evers	Kendrick	Rivera
Arza	Farkas	Kottkamp	Robaina
Attkisson	Fields	Kravitz	Roberson
Ausley	Flores	Kreegel	Ross
Barreiro	Galvano	Kyle	Rubio
Baxley	Gannon	Legg	Russell
Bean	Garcia	Littlefield	Ryan
Bendross-Mindingall	Gardiner	Llorente	Sands
Bense	Gelber	Lopez-Cantera	Sansom
Benson	Gibson, A.	Machek	Seiler
Berfield	Gibson, H.	Mahon	Simmons
Bilirakis	Glorioso	Mayfield	Slosberg
Bogdanoff	Goldstein	McInvale	Smith
Bowen	Goodlette	Meadows	Sobel
Brandenburg	Gottlieb	Mealor	Stansel
Brown	Grant	Murzin	Stargel
Brummer	Greenstein	Needelman	Taylor
Brutus	Grimsley	Negron	Traviesa
Bucher	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata
Cretul	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Sorensen

So the bill passed, as amended, and was certified to the Senate.

**HB 1001**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; exempting from public records requirements biometric identification information held by an agency before, on, or after the effective date of the exemption; providing a definition; providing for future legislative

review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 719

Representative Farkas in the Chair.

Yeas—116

Adams	Cretul	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Johnson	Quinones
Ambler	Davis, M.	Jordan	Reagan
Anderson	Dean	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Rubio
Bean	Gannon	Legg	Russell
Bendross-Mindingall	Garcia	Littlefield	Ryan
Bense	Gardiner	Llorente	Sands
Benson	Gelber	Lopez-Cantera	Sansom
Berfield	Gibson, A.	Machek	Seiler
Bilirakis	Gibson, H.	Mahon	Simmons
Bogdanoff	Glorioso	Mayfield	Slosberg
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

So the bill passed, as amended, by the required constitutional two-thirds vote of the members voting and was certified to the Senate.

**HB 521**—A bill to be entitled An act relating to probate; amending s. 655.935, F.S.; revising procedures relating to opening a decedent's safe-deposit box; amending s. 655.936, F.S.; revising procedures relating to delivery of a decedent's safe-deposit box by lessor; amending s. 655.937, F.S.; revising procedures relating to granting access to safe-deposit boxes leased in two or more names; amending s. 732.2135, F.S.; revising provisions relating to time of filing or withdrawing certain estate share elections; amending s. 732.402, F.S.; revising procedures relating to filing petitions for determinations of exempt property; amending s. 733.212, F.S.; revising procedures and requirements relating to notices of administration and petitions for relief; amending s. 733.6065, F.S.; revising procedures relating to the opening of a safe-deposit box leased or co-leased by decedent; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 720

Representative Farkas in the Chair.

Yeas—116

Adams	Ambler	Arza	Barreiro
Allen	Anderson	Attkisson	Baxley
Altman	Antone	Ausley	Bean

Bendross-Mindingall	Flores	Kendrick	Reagan
Bense	Galvano	Kottkamp	Rice
Benson	Gannon	Kravitz	Richardson
Berfield	Garcia	Kreegel	Rivera
Bilirakis	Gardiner	Kyle	Robaina
Bogdanoff	Gelber	Legg	Roberson
Bowen	Gibson, A.	Littlefield	Ross
Brandenburg	Gibson, H.	Llorente	Rubio
Brown	Glorioso	Lopez-Cantera	Russell
Brummer	Goldstein	Machek	Ryan
Brutus	Goodlette	Mahon	Sands
Bucher	Gottlieb	Mayfield	Sansom
Bullard	Grant	McInvale	Seiler
Cannon	Greenstein	Meadows	Simmons
Carroll	Grimsley	Mealor	Slosberg
Clarke	Harrell	Murzin	Smith
Coley	Hasner	Needelman	Sobel
Cretul	Hays	Negron	Stansel
Cusack	Henriquez	Patterson	Stargel
Davis, D.	Holloway	Peterman	Taylor
Davis, M.	Homan	Pickens	Traviesa
Dean	Hukill	Planas	Troutman
Domino	Johnson	Poppell	Vana
Evers	Jordan	Porth	Waters
Farkas	Joyner	Proctor	Williams
Fields	Justice	Quinones	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

So the bill passed, as amended, and was certified to the Senate.

**HB 191**—A bill to be entitled An act relating to guardianship; amending s. 737.2065, F.S.; excepting the contesting of trust validity by property guardians of incapacitated settlors from a prohibition against commencing certain actions; amending s. 744.107, F.S.; revising provisions relating to court monitors; requiring orders of appointment and monitors' reports to be served upon certain persons; authorizing the court to determine which persons may inspect certain orders or reports; authorizing the court to enter any order necessary to protect a ward or ward's estate; requiring notice and hearing; authorizing a court to assess certain costs and attorney's fees under certain circumstances; creating s. 744.1075, F.S.; authorizing a court to appoint a court monitor on an emergency basis under certain circumstances; requiring the court to make certain findings; specifying a time period for a monitor's authority; providing for extending such time period; requiring the monitor to report findings and recommendations; providing duties of the court relating to probable cause for the emergency appointment; authorizing the court to determine which persons may inspect certain orders or reports; providing requirements for a court order to show cause for the emergency appointment; authorizing the court to issue certain injunctions or orders for certain purposes; requiring the court to provide copies of such injunctions or orders to all parties; authorizing the court to impose sanctions or take certain enforcement actions; providing for payment of reasonable fees to the monitor; prohibiting certain persons from receiving certain fees; authorizing a court to assess certain costs and attorney's fees under certain circumstances; amending s. 744.331, F.S.; requiring a court to determine whether acceptable alternatives to guardianship of incapacitated persons exist under certain circumstances; requiring appointment of a guardian if no alternative exists; prohibiting such appointment if an alternative exists; specifying circumstances of nonexistence of an alternative; preserving certain court authority to determine exercise of certain powers of attorney; amending s. 744.441, F.S.; requiring a court to make certain findings in a ward's best interest before authorizing a guardian to bring certain actions; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights; creating s. 744.462, F.S.; requiring guardians to immediately report certain judicial determinations in certain guardianship proceedings; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights under certain circumstances; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 721

Representative Farkas in the Chair.

Yeas—116

Adams	Cretul	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Johnson	Quinones
Ambler	Davis, M.	Jordan	Reagan
Anderson	Dean	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Rubio
Bean	Gannon	Legg	Russell
Bendross-Mindingall	Garcia	Littlefield	Ryan
Bense	Gardiner	Llorente	Sands
Benson	Gelber	Lopez-Cantera	Sansom
Berfield	Gibson, A.	Machek	Seiler
Bilirakis	Gibson, H.	Mahon	Simmons
Bogdanoff	Glorioso	Mayfield	Slosberg
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

So the bill passed, as amended, and was certified to the Senate.

**HB 193**—A bill to be entitled An act relating to public records exemptions; creating s. 744.1076, F.S.; creating exemptions from public records requirements for certain court records relating to appointment of certain court monitors, reports of such monitors, and determinations and orders of a court relating to findings of no probable cause; providing for future legislative review and repeal; providing findings of public necessity; providing a contingent effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 722

Representative Farkas in the Chair.

Yeas—116

Adams	Bogdanoff	Domino	Greenstein
Allen	Bowen	Evers	Grimsley
Altman	Brandenburg	Farkas	Harrell
Ambler	Brown	Fields	Hasner
Anderson	Brummer	Flores	Hays
Antone	Brutus	Galvano	Henriquez
Arza	Bucher	Gannon	Holloway
Attkisson	Bullard	Garcia	Homan
Ausley	Cannon	Gardiner	Hukill
Barreiro	Carroll	Gelber	Johnson
Baxley	Clarke	Gibson, A.	Jordan
Bean	Coley	Gibson, H.	Joyner
Bendross-Mindingall	Cretul	Glorioso	Justice
Bense	Cusack	Goldstein	Kendrick
Benson	Davis, D.	Goodlette	Kottkamp
Berfield	Davis, M.	Gottlieb	Kravitz
Bilirakis	Dean	Grant	Kreegel

Kyle	Needelman	Richardson	Slosberg
Legg	Negron	Rivera	Smith
Littlefield	Patterson	Robaina	Sobel
Llorente	Peterman	Roberson	Stansel
Lopez-Cantera	Pickens	Ross	Stargel
Machek	Planas	Rubio	Taylor
Mahon	Poppell	Russell	Traviesa
Mayfield	Porth	Ryan	Troutman
McInvale	Proctor	Sands	Vana
Meadows	Quinones	Sansom	Waters
Mealor	Reagan	Seiler	Williams
Murzin	Rice	Simmons	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

So the bill passed by the required constitutional two-thirds vote of the members voting and was certified to the Senate.

**HB 1089**—A bill to be entitled An act relating to construction contracting; amending s. 95.11, F.S.; revising commencement periods for actions founded on the design, planning, or construction of improvements to real property; amending s. 718.618, F.S., relating to converter reserve accounts and warranties; limiting applicability to certain improvements; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 723

Representative Farkas in the Chair.

Yeas—116

Adams	Cretul	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Johnson	Quinones
Ambler	Davis, M.	Jordan	Reagan
Anderson	Dean	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Rubio
Bean	Gannon	Legg	Russell
Bendross-Mindingall	Garcia	Littlefield	Ryan
Bense	Gardiner	Llorente	Sands
Benson	Gelber	Lopez-Cantera	Sansom
Berfield	Gibson, A.	Machek	Seiler
Bilirakis	Gibson, H.	Mahon	Simmons
Bogdanoff	Glorioso	Mayfield	Slosberg
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

So the bill passed, as amended, and was certified to the Senate.

On motion by Rep. Farkas, consideration of **HB 73** was temporarily postponed.

**HB 487**—A bill to be entitled An act relating to the Commission for the Transportation Disadvantaged; amending s. 427.012, F.S.; revising the membership of the commission; establishing term limits; directing each member of the commission to serve without regional bias; providing qualifications for appointment to membership on the commission; providing for nonvoting advisory members; requiring candidates for appointment to the commission to meet certain standards for background screening; requiring the Department of Transportation to inform the commission if a candidate fails to meet the screening standards; providing that costs of screening be borne by the department or the candidate for appointment; authorizing the commission to appoint technical working groups; providing for membership of the working groups; amending s. 427.013, F.S.; requiring the commission to develop a transportation fund allocation methodology for certain purposes; specifying methodology criteria; preserving Agency for Health Care Administration authority to distribute Medicaid funds; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 724

Representative Farkas in the Chair.

Yeas—116

Adams	Cretul	Homan	Porth
Allen	Cusack	Hukill	Proctor
Altman	Davis, D.	Johnson	Quinones
Ambler	Davis, M.	Jordan	Reagan
Anderson	Dean	Joyner	Rice
Antone	Domino	Justice	Richardson
Arza	Evers	Kendrick	Rivera
Attkisson	Farkas	Kottkamp	Robaina
Ausley	Fields	Kravitz	Roberson
Barreiro	Flores	Kreegel	Ross
Baxley	Galvano	Kyle	Rubio
Bean	Gannon	Legg	Russell
Bendross-Mindingall	Garcia	Littlefield	Ryan
Bense	Gardiner	Llorente	Sands
Benson	Gelber	Lopez-Cantera	Sansom
Berfield	Gibson, A.	Machek	Seiler
Bilirakis	Gibson, H.	Mahon	Simmons
Bogdanoff	Glorioso	Mayfield	Slosberg
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Peterman	Vana
Carroll	Hays	Pickens	Waters
Clarke	Henriquez	Planas	Williams
Coley	Holloway	Poppell	Zapata

Nays—None

Votes after roll call:

Yeas—Sorensen

So the bill passed, as amended, and was certified to the Senate.

**HB 249**—A bill to be entitled An act relating to the Florida 211 Network; amending s. 408.918, F.S.; designating the Agency for Health Care Administration as the lead entity for purposes of receiving and distributing federal funds; requiring the Florida 211 Network to provide services in each county and to coordinate services with county emergency management agencies during disasters; providing requirements for distribution of state funds appropriated for such purposes; requiring local matching funds; requiring expenditure reports to the Florida Alliance of Information and Referral Services, the Agency for Health Care Administration, the Governor, and the Legislature; defining the term "Florida 211 Network provider"; providing an appropriation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 725

Representative Farkas in the Chair.

Yeas—115

Adams	Cretul	Hukill	Proctor
Allen	Cusack	Johnson	Quinones
Altman	Davis, D.	Jordan	Reagan
Ambler	Dean	Joyner	Rice
Anderson	Domino	Justice	Richardson
Antone	Evers	Kendrick	Rivera
Arza	Farkas	Kottkamp	Robaina
Attkisson	Fields	Kravitz	Roberson
Ausley	Flores	Kreegel	Ross
Barreiro	Galvano	Kyle	Rubio
Baxley	Gannon	Legg	Russell
Bean	Garcia	Littlefield	Ryan
Bendross-Mindingall	Gardiner	Llorente	Sands
Bense	Gelber	Lopez-Cantera	Sansom
Benson	Gibson, A.	Machek	Seiler
Berfield	Gibson, H.	Mahon	Simmons
Bilirakis	Glorioso	Mayfield	Slosberg
Bogdanoff	Goldstein	McInvale	Smith
Bowen	Goodlette	Meadows	Sobel
Brandenburg	Gottlieb	Mealor	Stansel
Brown	Grant	Murzin	Stargel
Brummer	Greenstein	Needelman	Taylor
Brutus	Grimsley	Negron	Traviesa
Bucher	Harrell	Patterson	Troutman
Bullard	Hasner	Peterman	Vana
Cannon	Hays	Pickens	Waters
Carroll	Henriquez	Planas	Williams
Clarke	Holloway	Poppell	Zapata
Coley	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Davis, M., Sorensen

So the bill passed, as amended, and was certified to the Senate.

**HB 1167**—A bill to be entitled An act relating to sexual predators; creating s. 794.075, F.S.; prohibiting a sexual predator from possessing prescription erectile dysfunction drugs in certain circumstances; providing criminal penalties; providing an effective date.

—was read the third time by title.

THE SPEAKER IN THE CHAIR

On passage, the vote was:

Session Vote Sequence: 726

Speaker Bense in the Chair.

Yeas—114

Adams	Bean	Brutus	Dean
Allen	Bendross-Mindingall	Bucher	Domino
Altman	Bense	Bullard	Evers
Ambler	Benson	Farkas	Farkas
Anderson	Berfield	Carroll	Fields
Antone	Bilirakis	Clarke	Flores
Arza	Bogdanoff	Coley	Galvano
Attkisson	Bowen	Cretul	Gannon
Ausley	Brandenburg	Cusack	Garcia
Barreiro	Brown	Davis, D.	Gardiner
Baxley	Brummer	Davis, M.	Gelber

Gibson, A.	Joyner	Needelman	Sands
Gibson, H.	Justice	Negron	Sansom
Glorioso	Kendrick	Patterson	Seiler
Goldstein	Kottkamp	Peterman	Simmons
Goodlette	Kravitz	Pickens	Slosberg
Gottlieb	Kreegel	Planas	Smith
Grant	Kyle	Poppell	Sobel
Greenstein	Legg	Porth	Stansel
Grimsley	Littlefield	Quinones	Stargel
Harrell	Llorente	Reagan	Taylor
Hasner	Lopez-Cantera	Richardson	Traviesa
Hays	Machek	Rivera	Troutman
Henriquez	Mahon	Robaina	Vana
Holloway	Mayfield	Roberson	Waters
Homan	McInvale	Ross	Williams
Hukill	Meadows	Rubio	Zapata
Johnson	Mealor	Russell	
Jordan	Murzin	Ryan	

Nays—None

Votes after roll call:

Yeas—Proctor, Rice, Sorensen

So the bill passed, as amended, and was certified to the Senate.

## Special Orders

**HB 5001**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2006, and ending June 30, 2007, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

REPRESENTATIVE RUSSELL IN THE CHAIR

Representative(s) Barreiro offered the following:

(Amendment Bar Code: 990223)

### Prefile Amendment 1—

In Section: 04 On Page: 168 Specific Appropriation: 1153  
DELETE INSERT

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Residential Corrections Program  
Non-Secure Residential Commitment

In Section 04 On Page 168  
1153 Special Categories  
Grants And Aids - Contracted Services

From General Revenue Fund 128,127,176 127,518,176

Program: Probation And Community  
Corrections Program  
Juvenile Probation

In Section 04 On Page 164  
1125 Special Categories  
Grants And Aids - Contracted Services

From General Revenue Fund 13,295,072 13,904,072

delete the last sentence from the 2nd paragraph of proviso following  
Specific Appropriation 1125:

In addition, \$420,000 is provided to expand redirection services to 50 female offenders who are before the court solely for a non-law violation of probation or a non-violent misdemeanor.

and insert in lieu thereof:

In addition, \$1,029,000 is provided to expand redirection services to 50 female offenders and an additional 195 male offenders who are before the court solely for a non-law violation of probation or a non-violent misdemeanor.

Rep. Barreiro moved the adoption of the amendment, which was adopted.

Representative(s) D. Davis offered the following:

(Amendment Bar Code: 990224)

**Profile Amendment 2—**

In Section: 04 On Page: 168 Specific Appropriation: 1153  
DELETE INSERT

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Residential Corrections Program  
Non-Secure Residential Commitment

1153 In Section 04 On Page 168  
Special Categories  
Grants And Aids - Contracted Services  
  
From General Revenue Fund 128,127,176 127,877,176

CORRECTIONS, DEPARTMENT OF  
Program: Community Corrections  
Post Prison Release Supervision

821A In Section 04 On Page 127  
Special Categories  
Local Community Corrections Project  
  
From General Revenue Fund 2,555,000 2,805,000

At the end of existing proviso language, following Specific  
Appropriation 821A, INSERT:

Operation New Hope.....250,000

Rep. D. Davis moved the adoption of the amendment.

Representative(s) Barreiro offered the following:

(Amendment Bar Code: 990281)

**Profile Substitute Amendment 2S—**

In Section: 04 On Page: 168 Specific Appropriation: 1153  
DELETE INSERT

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Residential Corrections Program  
Non-Secure Residential Commitment

1153 In Section 04 On Page 168  
Special Categories  
Grants And Aids - Contracted Services  
  
From General Revenue Fund 128,127,176 127,777,176

CORRECTIONS, DEPARTMENT OF  
Program: Community Corrections  
Post Prison Release Supervision

821A In Section 04 On Page 127  
Special Categories  
Local Community Corrections Project  
  
From General Revenue Fund 2,555,000 2,905,000

At the end of existing proviso language, following Specific  
Appropriation 821A, INSERT:

Project Reconnect.....100,000  
Operation New Hope.....250,000

Rep. Barreiro moved the adoption of the substitute amendment, which was adopted.

Representative(s) Richardson and Joyner offered the following:

(Amendment Bar Code: 990225)

**Profile Amendment 3—**

In Section: 04 On Page: 187 Specific Appropriation: 1357A  
DELETE INSERT

PAROLE COMMISSION  
Program: Post-Incarceration Enforcement

And Victims Rights

1357A In Section 04 On Page 187  
Lump Sum  
Continuation Of Critical Activities

From General Revenue Fund 4,570,500 0

DELETE the proviso immediately following Specific Appropriation 1357A:

Funds in Specific Appropriation 1357A are provided to continue critical activities of the Parole Commission beginning January 1, 2007. Funds from Specific Appropriation 1357A shall be transferred to other governmental entities, as designated by the Legislature.

1354 Salaries And Benefits  
  
From General Revenue Fund 3,829,490 7,421,035  
1355 Other Personal Services

From General Revenue Fund 135,265 270,531

1356 Expenses  
  
From General Revenue Fund 576,558 1,148,994

1357 Operating Capital Outlay  
  
From General Revenue Fund 39,965 79,930

1358 In Section 04 On Page 188  
Special Categories  
Risk Management Insurance  
  
From General Revenue Fund 43,488 86,975

1359 Special Categories  
Transfer To Department Of Management  
Services - Human Resources Services  
Purchased Per Statewide Contract  
  
From General Revenue Fund 30,911 59,750

1361 Data Processing Services  
Other Data Processing Services  
  
From General Revenue Fund 158,962 317,924

THE SPEAKER IN THE CHAIR

REPRESENTATIVE BRUMMER IN THE CHAIR

Rep. Richardson moved the adoption of the amendment, which failed of adoption.

Representative(s) Barreiro offered the following:

(Amendment Bar Code: 990265)

**Profile Amendment 4—**

In Section: 04 On Page: 165 Specific Appropriation: 1131  
DELETE INSERT

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Office Of The  
Secretary/Assistant Secretary For  
Administrative Services  
Executive Direction And Support Services

1131 In Section 04 On Page 165  
Salaries And Benefits  
  
From General Revenue Fund 9,830,457 9,304,843

1132 Other Personal Services  
  
From General Revenue Fund 509,655 407,251

1133 In Section 04 On Page 166  
Expenses  
  
From General Revenue Fund 3,045,049 2,982,259

Program: Residential Corrections Program  
Non-Secure Residential Commitment

1153 In Section 04 On Page 168  
Special Categories  
Grants And Aids - Contracted Services

From General Revenue Fund	128,127,176	127,931,335
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Program: Office Of The  
Secretary/Assistant Secretary For  
Administrative Services  
Juvenile Justice Accountability  
Commission

1145B In Section 04 On Page 167  
Lump Sum  
Independent Commission For Quality  
Assurance And Data And Research

From General Revenue Fund	1,381,618	2,268,267
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DELETE the proviso immediately following Specific Appropriation 1145B:

Funds in Specific Appropriation 1145B are provided for per diem expenses, staff and other support for the Juvenile Justice Accountability Commission as created by s. 985.4056, F.S., and to provide funds for a contract between the Commission and the Florida State University Center for Criminology and Public Policy Research. The contract will require that the Center provide quality assurance reviews of facilities and programs operated by the department and contract providers, conduct research on best practices in juvenile justice services, and disseminate the results of that research to the Commission, the Legislature, the Executive Office of the Governor, the department, and to staff of the department and contract service providers through regular interaction. The initial contract shall be for a term not to exceed two years and may be renewed upon mutual agreement by the Commission and the Center.

and insert in lieu thereof:

Funds in Specific Appropriation 1145B are provided for per diem expenses, staff and other support for the Juvenile Justice Accountability Commission as created by s. 985.4056, F.S., and to provide funds for a contract between the Commission and the Florida State University Center for Criminology and Public Policy Research. The contract will require the Center to provide the data and research functions required by s. 985.412, F.S., to develop a revised quality

assurance and performance evaluation process for use by the Commission, and to train quality assurance staff for the Commission on the revised process. The initial contract shall be for a term not to exceed two years and may be renewed upon mutual agreement by the Commission and the Center.

Rep. Barreiro moved the adoption of the amendment, which was adopted.

Representative(s) Taylor, Bendross-Mindingall, Gannon, A. Gibson, Richardson, Roberson, Smith, and Vana offered the following:

(Amendment Bar Code: 990242)

#### Profile Amendment 5—

In Section: 06 On Page: 311 Specific Appropriation: 2614  
DELETE INSERT

FINANCIAL SERVICES, DEPARTMENT OF  
Program: Financial Services Commission  
Office Of Insurance Regulation  
Compliance And Enforcement - Insurance

2614 In Section 06 On Page 311  
Expenses

From General Revenue Fund	500,000,000
---------------------------	-------------

Following Specific Appropriation 2614, INSERT:

From funds provided in Specific Appropriations 2614, \$500,000,000 from General Revenue is appropriated, contingent on passage of HB 1257, for the "Protect Our Homes" Mitigation Fund.

Rep. Taylor moved the adoption of the amendment. Subsequently, Amendment 5 was withdrawn.

Representative(s) Berfield offered the following:

(Amendment Bar Code: 990261)

#### Profile Amendment 6—

In Section: 06 On Page: 343 Specific Appropriation: 2954A  
DELETE INSERT

MANAGEMENT SERVICES, DEPARTMENT OF  
Program: Technology Program  
Telecommunications Services

2954A In Section 06 On Page 343  
Special Categories  
Wireless Fee Rebate

From General Revenue Fund	8,810,966	7,310,966
---------------------------	-----------	-----------

FINANCIAL SERVICES, DEPARTMENT OF  
Program: Financial Services Commission  
Office Of Insurance Regulation  
Compliance And Enforcement - Insurance

2616A In Section 06 On Page 311  
Special Categories  
Capitalization For Risk Retention Pool

From General Revenue Fund	1,500,000
---------------------------	-----------

Immediately following Specific Appropriation 2616A, INSERT:

Funds in Specific Appropriation 2616A are provided for any entity that forms a manufactured housing insurance company domiciled in Florida and subject to Florida minimum reserve requirements. The state shall match on a dollar for dollar basis up to \$1.5 million of private investments to provide the necessary initial surplus to create a manufactured housing insurance company. Such company will be privately owned and the state match will be treated as a long-term loan and surplus note. The newly formed manufactured housing insurance company will be required to grant loss mitigation credits to those insureds who present certification of completion of certain loss mitigation activities. Funds from loan repayments shall be deposited in General Revenue unallocated.

Rep. Berfield moved the adoption of the amendment, which was adopted.

Representative(s) Patterson offered the following:

(Amendment Bar Code: 990246)

#### Profile Amendment 7—

In Section: 06 On Page: 318 Specific Appropriation: 2685A  
DELETE INSERT

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: Office Of Tourism, Trade And  
Economic Development  
Economic Development Programs And  
Projects

2685A In Section 06 On Page 318  
Special Categories  
Economic Development Projects

Immediately following Specific Appropriation 2685A, DELETE:

US1/I-95 Interchange and Ormond Crossing Business Park - Volusia  
County..... 250,000

and insert in lieu thereof:

PD&E for Palm Coast Parkway - Flagler County..... 250,000

Rep. Patterson moved the adoption of the amendment, which was adopted.

Representative(s) D. Davis offered the following:

(Amendment Bar Code: 990259)

#### Profile Amendment 8—

In Section: 06 On Page: 367 Specific Appropriation: 3225A  
DELETE INSERT

STATE, DEPARTMENT OF  
Program: Cultural Affairs  
Cultural Support And Development Grants

3225A In Section 06 On Page 367  
Special Categories  
Grants And Aids - Cultural And Historical  
Programs

From General Revenue Fund 865,207 1,115,207

At the end of existing proviso language, following Specific Appropriation 3225A, INSERT:

Florida Grand Opera's Operatunity Job Program..... 250,000

COMMUNITY AFFAIRS, DEPARTMENT OF  
Program: Emergency Management  
Emergency Planning

1589A In Section 05 On Page 210  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Local Emergency Management Facilities

From General Revenue Fund 4,604,139 4,354,139

#### THE SPEAKER IN THE CHAIR

Rep. D. Davis moved the adoption of the amendment, which was adopted.

Representative(s) Pickens, Robaina, and Roberson offered the following:

(Amendment Bar Code: 990210)

#### Profile Amendment 9—

In Section: 02 On Page: 042 Specific Appropriation: 164  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Universities, Division Of  
Program: Educational And General  
Activities

164 In Section 02 On Page 042  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

From General Revenue Fund 1,784,232,555 1,784,032,555

Following Specific Appropriation 164, DELETE:

Funds in Specific Appropriation 164 from the General Revenue Fund  
shall be allocated as follows:

University of Florida..... 356,729,742

and insert in lieu thereof:

Funds in Specific Appropriation 164 from the General Revenue Fund  
shall be allocated as follows:

University of Florida..... 356,529,742

167 In Section 02 On Page 045  
Aid To Local Governments  
Grants And Aids - University Of Florida  
Health Center

From General Revenue Fund 101,704,884 101,904,884

Rep. Pickens moved the adoption of the amendment, which was adopted.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 990211)

#### Profile Amendment 10—

In Section: 02 On Page: 045 Specific Appropriation: 167  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Universities, Division Of  
Program: Educational And General  
Activities

167 In Section 02 On Page 045  
Aid To Local Governments  
Grants And Aids - University Of Florida  
Health Center

From General Revenue Fund 101,704,884 101,604,884

In Section 02 On Page 042

164 Aid To Local Governments  
Grants And Aids - Education And General  
Activities

From General Revenue Fund 1,784,232,555 1,784,332,555

Following Specific Appropriation 164, DELETE:

Funds in Specific Appropriation 164 from the General Revenue Fund  
shall be allocated as follows:

University of Florida..... 356,729,742

and insert in lieu thereof:

Funds in Specific Appropriation 164 from the General Revenue Fund  
shall be allocated as follows:

University of Florida..... 356,829,742

Rep. Pickens moved the adoption of the amendment, which was adopted.

Representative(s) Brummer offered the following:

(Amendment Bar Code: 990212)

#### Profile Amendment 11—

In Section: 02 On Page: 031 Specific Appropriation: 127  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: Educational Media & Technology  
Services

127 In Section 02 On Page 031  
Special Categories  
Grants And Aids - Public Broadcasting

From General Revenue Fund 11,176,611 2,647,457

Following Specific Appropriation 127, DELETE:

Public Television and Radio Stations..... 8,529,154

Funds provided in Specific Appropriation 127 for public television  
and radio stations shall be allocated in the amount of \$557,675 each for  
public television stations and \$106,614 each for public radio stations  
recommended by the Commissioner of Education.

61 In Section 02 On Page 016  
Special Categories  
Grants And Aids - Client Services

Grants And Aids - Client Services

From General Revenue Fund 8,437,828 16,966,982

Immediately following Specific Appropriation 61, DELETE:

Specific Appropriation 61 includes \$937,600 from the General Revenue  
Fund for the Blind Babies Program and \$100,226 for the Blind Americans  
Wishing Well Center.

and insert in lieu thereof:

Specific Appropriation 61 includes \$9,466,754 from the General Revenue  
Fund for the Blind Babies Program and \$100,226 for the Blind Americans  
Wishing Well Center.

Rep. Brummer moved the adoption of the amendment. Subsequently,  
**Profile Amendment 11** was withdrawn.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 990219)

#### Profile Amendment 12—

In Section: 01 On Page: 004 Specific Appropriation: 16  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Community Colleges, Division Of  
Program: Community College Programs

In Section 01 On Page 004

16 Aid To Local Governments  
Critical Jobs Initiative

In Section 01 On Page 005

Immediately following Specific Appropriation 16, DELETE:

From the funds provided in Specific Appropriations 16, 19, and 137 \$12,150,000 shall be allocated to the SUCCEED, Florida - Crucial Professionals program for Nursing and Allied Health programs, \$12,150,000 shall be allocated to the SUCCEED, Florida Crucial Professionals program for Teaching programs, and \$8,800,000 shall be allocated to recipients of 2005-2006 SUCCEED, Crucial Professionals and Jobs for Florida's Future funds.

Funds for Nursing and Allied Health programs are provided to increase the capacity of nursing programs approved by the Board of Nursing at public and private postsecondary educational institutions to produce more nurses to enter the workforce in Florida. The Department of Education shall establish application procedures, guidelines, accountability measures, and timelines for implementation of the program and advise all Board of Nursing approved programs accordingly. The Department shall give priority to applications that focus on expanding undergraduate enrollments.

The funds for Teaching programs are provided to increase the capacity of teacher certification programs at public and private postsecondary educational institutions to produce more teachers to enter the workforce in Florida. The Department of Education shall establish application procedures, guidelines, accountability measures, and timelines for implementation of the program and advise all approved programs accordingly.

and insert in lieu thereof:

Funds provided in Specific Appropriations 16, 19, and 137 shall be allocated to the SUCCEED, Florida - Crucial Professionals initiative as follows:

Nursing and Allied Health programs.....	\$11,000,000
Teaching programs.....	\$11,000,000
Manufacturing and Automotive Technology programs.....	\$2,300,000
Recipients of 2005-2006 SUCCEED, Crucial Professionals and Jobs for Florida's Future funds.....	\$8,800,000

The funds for Nursing and Allied Health programs are provided to increase the capacity of nursing programs approved by the Board of Nursing at public and private postsecondary educational institutions to produce more nurses and allied health professionals to enter the workforce in Florida. The Department shall give priority to applications that focus on expanding undergraduate enrollments. The funds for Teaching programs are provided to increase the capacity of teacher certification programs at public and private postsecondary educational institutions to produce more teachers to enter the workforce in Florida. The funds for Manufacturing and Automotive Technology programs are provided to increase the capacity of programs at public and private postsecondary educational institutions to produce more students to enter the manufacturing and automotive technology workforce in Florida. The Department of Education shall establish application procedures, guidelines, accountability measures, and timelines for implementation of the programs and advise all approved applicants accordingly.

Rep. Pickens moved the adoption of the amendment, which was adopted.

Representative(s) Stargel offered the following:

(Amendment Bar Code: 990232)

#### Profile Amendment 13—

In Section: 02 On Page: 025 Specific Appropriation: 99  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - Non  
FEFP

In Section 02 On Page 025  
99 Aid To Local Governments  
Grants And Aids - Teacher Recruitment And  
Retention

DELETE the proviso immediately following Specific Appropriation 99:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these

funds, with at least \$50,000 available to each district. Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

and insert in lieu thereof:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these funds, with at least \$50,000 available to each district.

The funds must be used to support teacher recruitment and teacher retention programs in any of the following categories: tuition reimbursement; loan repayment; critical shortage subject area bonus; teacher bonuses; new teacher signing bonus; relocation or moving expenses; mortgage down payment assistance programs; and contracts with content experts to teach less than full-time.

Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers. A grant application requesting to expend more than fifty percent of the funds for teacher retention must demonstrate the district's need for teacher retention outweighs their need for teacher recruitment. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

Rep. Stargel moved the adoption of the amendment, which was adopted.

Representative(s) Vana offered the following:

(Amendment Bar Code: 990253)

#### Profile Amendment 14—

In Section: 01 On Page: 003 Specific Appropriation: 8  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - FEFP

In Section 01 On Page 003  
8 Aid To Local Governments  
Grants And Aids - District Lottery And  
School Recognition Program

From Educational Enhancement Trust	263,449,842	255,449,842
Fund		

Office Of Student Financial Assistance  
Program: Student Financial Aid Program -  
State

6 Financial Assistance Payments Student Financial Aid		
From Educational Enhancement Trust	23,127,420	31,127,420
Fund		

In Section 02 On Page 019  
84 Financial Assistance Payments  
Student Financial Aid

In the list following Specific Appropriation 84, INSERT:

Florida Students up to Amount Provided Foreign Students..... 8,000,000

Funds for Florida Students up to Amount Provided Foreign Students shall be allocated to ensure that any funds provided through tuition and fee waivers, up to \$8,000,000, to foreign students with M1 and F1 visas shall be matched by scholarships to qualified Florida students.

Rep. Vana moved the adoption of the amendment, which failed of adoption.

Representative(s) Vana and Justice offered the following:

(Amendment Bar Code: 990256)

#### Profile Amendment 15—

In Section: 01 On Page: 003 Specific Appropriation: 8

DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - FEFP

8 In Section 01 On Page 003  
Aid To Local Governments  
Grants And Aids - District Lottery And  
School Recognition Program

From Educational Enhancement Trust	263,449,842	0
Fund		

DELETE the proviso immediately following Specific Appropriation 8:

Funds provided in Specific Appropriation 8 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of section 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the Florida School Recognition Program shall be awarded by the Commissioner in the amount of \$100 per student in each qualifying school, and

(b) funds remaining after the obligations in paragraph (a) have been fully met shall be allocated to all school districts by prorating the amount of the appropriation on each district's K-12 base funding. From the portion of funds allocated pursuant to this paragraph, school boards must allocate, not later than October 1, 2006, at least \$10 per unweighted FTE student to be used at the discretion of the school advisory council pursuant to sections 24.121(5) and 1001.452, Florida Statutes. Council funds must be accounted for and are subject to an annual audit.

Program: Educational Media & Technology  
Services

13A In Section 01 On Page 004  
Qualified Expenditure Category  
Technology Enhancements

From Educational Enhancement Trust	97,500,000	0
Fund		

DELETE the proviso immediately following Specific Appropriation 13A:

Funds in Specific Appropriation 13A are contingent upon the transfer of funds from the Pari-Mutuel Wagering Trust Fund to the Educational Enhancement Trust Fund. The Department of Education shall develop an implementation plan that takes into consideration the timing of fund transfers and the contingent nature of the fund source.

From funds provided in Specific Appropriation 13A, the department shall design, implement and manage the Technology Tools for Teachers (T3) program as an integrated, statewide system to deliver technology solutions to teachers. The department shall:

1) Determine eligible technology products and services. Options shall include laptop/tablet computers, digital projectors and screens, smart boards, and other peripheral equipment. Services shall include choices for hardware and software training and technical support. Eligible computers must contain appropriate hardware and software to enable teachers to perform efficient operations in Sunshine Connections.

2) Conduct competitive bids for the eligible products and services. Contracts resulting from the competitive bid process shall delineate the timeframe for the delivery of goods or services to the eligible teachers. Contracts shall achieve the lowest total cost of ownership by considering factors including appropriate levels of product standardization, volume purchasing power, and technology life-cycle implications. Contracts may include district-specific specifications.

3) Develop eligibility requirements for participating teachers pursuant

to section 1012.01(2)(a), (b), (c), and (d), Florida Statutes. Teachers shall not be eligible to participate if their employing school district has not agreed to participate in the Sunshine Connections initiative.

4) Define the policies and procedures to improve teacher technology proficiency and ensure maximum utilization of available products and services.

5) Develop an online marketplace and information exchange for teachers to select, procure, and have direct-delivery of technology products and services and for districts to receive required information regarding teacher purchases. Products and services become the property of the employing school district upon delivery to teachers. Products purchased may employ a solution for asset tracking and theft recovery.

6) Develop a long-term plan to ensure the financial accountability of

the program and report to the Legislature quarterly on program implementation.

Program: State Grants/K-12 Program - Non  
FEFP

99 In Section 02 On Page 025  
Aid To Local Governments  
Grants And Aids - Teacher Recruitment And  
Retention

From Principal State School Trust	27,000,000	0
Fund		

DELETE the proviso immediately following Specific Appropriation 99:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these funds, with at least \$50,000 available to each district. Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

Program: State Grants/K-12 Program - FEFP

91 In Section 02 On Page 021  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

From General Revenue Fund	6,763,179,102	6,553,179,102
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Following Specific Appropriation 91, DELETE:

From the funds in Specific Appropriation 91, \$210,000,000 is provided to assist school districts with implementation of performance and differentiated pay policies for instructional personnel in accordance with the requirements of law. These funds shall be allocated based on each district's proportion of the state total K-12 base funding, subject to review and approval of the district policies by the Department of Education. School districts shall submit their plans to the Department of Education no later than August 1, 2006. The Department of Education shall approve district plans or request plan revisions by September 15, 2006.

91A Aid To Local Governments  
Grants And Aids - Endowment for Education

In Section 02 On Page 023

From General Revenue Fund	210,000,000
From Principal State School Trust	27,000,000
Fund	

Following Specific Appropriation 91A, INSERT:

Funds provided in Specific Appropriation 8A and 91A are provided to create an endowment for the purpose of providing teacher salary and benefit increases. An advisory council shall be created within the Department of Education to administer the endowment.

8A In Section 01 On Page 004  
Aid To Local Governments  
Grants And Aids - Endowment for Education

From Educational Enhancement Trust	360,949,842
Fund	

Following Specific Appropriation 8A, INSERT:

Funds provided in Specific Appropriation 8A are allocated in Specific Appropriation 91A.

Rep. Vana moved the adoption of the amendment.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 990289)

**Prefile Substitute Amendment 15S—**

In Section: 02 On Page: 021 Specific Appropriation: 91	DELETE	INSERT
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EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - FEFP

91 In Section 02 On Page 021  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

From General Revenue Fund 6,763,179,102 6,766,597,617

Following Specific Appropriation 91, DELETE:

Funds provided in Specific Appropriation 91 shall be allocated using a base student allocation of \$3,858.67 for the FEFP.

Total required local effort for 2006-2007 shall be \$6,886,354,812. The total amount shall include adjustments made for the calculation required in sections 1011.62(4)(a) and (c), Florida Statutes. The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in 2006-2007 shall be:

- 1) 0.51 mills, and
- 2) An additional levy, not to exceed 0.25 mills, that will raise an amount not to exceed \$100 per full-time equivalent student (FTE).

District school boards that levy the entire additional 0.25 mills and raise less than \$100 per K-12 FTE shall receive, from the funds provided in Specific Appropriation 91, an amount that, combined with funds raised by the 0.25 mills, will provide \$100 per K-12 FTE. To be eligible for state funds provided in this paragraph, a district must levy the full 0.25 mills and the full 0.51 mills.

In addition, if a school board's 0.51 mill levy provides funds per unweighted FTE that are less than \$250, the school district shall receive an amount from the funds provided in Specific Appropriation 91, which, when added to the funds generated by the district's 0.51 mill levy, is equivalent to \$250.

and insert in lieu thereof:

Funds provided in Specific Appropriation 91 shall be allocated using a base student allocation of \$3,852.34 for the FEFP.

Total required local effort for 2006-2007 shall be \$6,884,897,524. The total amount shall include adjustments made for the calculation required in sections 1011.62(4)(a) and (c), Florida Statutes. The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in 2006-2007 shall be a levy, not to exceed 0.75 mills, that will raise an amount not to exceed two times the statewide average per full-time equivalent student (FTE) or the amount that would have been generated under prior year discretionary millage policies, whichever is greater. If a school board's 0.75 mill levy provides funds per unweighted FTE that are less than 90% of the statewide average, the school district shall receive an amount from the funds provided in Specific Appropriation 91, which, when added to the funds generated by the district's 0.75 mill levy, is equivalent to 90% of the statewide average.

7 In Section 01 On Page 003  
Aid To Local Governments  
Grants And Aids - Class Size Reduction

Immediately following Specific Appropriation 7, DELETE:

Funds in Specific Appropriations 7 and 92 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades pre-kindergarten to

grade 3 shall be \$736.14, for grades 4 to 8 shall be \$702.81, and for grades 9 to 12 shall be \$704.72. The class size reduction allocation shall be recalculated based on enrollment through the October 2006 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 92, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

and insert in lieu thereof:

Funds in Specific Appropriations 7 and 92 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades pre-kindergarten to grade 3 shall be \$734.93, for grades 4 to 8 shall be \$701.66, and for grades 9 to 12 shall be \$703.57. The class size reduction allocation shall be recalculated based on enrollment through the October 2006 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 92, funds shall be prorated to the level of the appropriation based on each district's

calculated amount.

92 In Section 02 On Page 023  
Aid To Local Governments  
Grants And Aids - Class Size Reduction

From General Revenue Fund 1,974,783,561 1,971,365,046

Immediately following Specific Appropriation 92, DELETE:

Funds in Specific Appropriations 7 and 92 are provided to implement the requirements of section 1003.03 and section 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$736.14, for grades 4 to 8 shall be \$702.81, and for grades 9 to 12 shall be \$704.72. The class size reduction allocation shall be recalculated based on enrollment through the October 2006 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 92, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

and insert in lieu thereof:

Funds in Specific Appropriations 7 and 92 are provided to implement the requirements of section 1003.03 and section 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$734.93, for grades 4 to 8 shall be \$701.66, and for grades 9 to 12 shall be \$703.57. The class size reduction allocation shall be recalculated based on enrollment through the October 2006 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 7 and 92, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Rep. Pickens moved the adoption of the substitute amendment, which was adopted.

**Prefile Amendment 16** was withdrawn.

Representative(s) Coley and Sansom offered the following:

(Amendment Bar Code: 990263)

**Prefile Amendment 17—**

In Section: 02 On Page: 029 Specific Appropriation: 116  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - Non  
FEFP

116 In Section 02 On Page 029  
Special Categories  
Grants And Aids - School And  
Instructional Enhancements

From General Revenue Fund 954,634 854,634

Following Specific Appropriation 116, DELETE:

Florida Learning Alliance Operations..... 300,000

and insert in lieu thereof:

Florida Learning Alliance Operations..... 200,000

39B Program: Education - Fixed Capital Outlay  
In Section 02 On Page 013  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Regional Education  
Consortiums

From General Revenue Fund 100,000

Following Specific Appropriation 39B, INSERT:

Funds in Specific Appropriation 39B shall be allocated to the Panhandle Area Education Consortium.

Rep. Coley moved the adoption of the amendment.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 990283)

**Profile Substitute Amendment 17S—**

In Section: 02 On Page: 018 Specific Appropriation: 76A  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Program: Private Colleges And  
Universities

76A In Section 02 On Page 018  
Special Categories  
Grants And Aids - Private Colleges And  
Universities

From General Revenue Fund 3,075,000 2,900,000

Following Specific Appropriation 76A, DELETE:

2+2 Public Private Partnership Baccalaureate Incentive..... 1,825,000

and insert in lieu thereof:

2+2 Public Private Partnership Baccalaureate Incentive..... 1,650,000

39B Program: Education - Fixed Capital Outlay  
In Section 02 On Page 013  
Fixed Capital Outlay  
Grants And Aids - Regional Education  
Consortium - Capital Projects

From General Revenue Fund 175,000

Following Specific Appropriation 39B, INSERT:

Funds in Specific Appropriation 39B shall be allocated to Regional Consortium Service Organizations based on each consortium's proportion of full-time equivalent students.

Rep. Pickens moved the adoption of the substitute amendment, which was adopted.

Representative(s) Richardson, Vana, Smith, Ausley, Sands, A. Gibson, and Roberson offered the following:

(Amendment Bar Code: 990264)

**Profile Amendment 18—**

In Section: 01 On Page: 004 Specific Appropriation: 13A  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: Educational Media & Technology  
Services

13A In Section 01 On Page 004  
Qualified Expenditure Category  
Technology Enhancements

From Educational Enhancement Trust 97,500,000 0  
Fund

DELETE the proviso immediately following Specific Appropriation 13A:

Funds in Specific Appropriation 13A are contingent upon the transfer of funds from the Pari-Mutuel Wagering Trust Fund to the Educational Enhancement Trust Fund. The Department of Education shall develop an implementation plan that takes into consideration the timing of fund transfers and the contingent nature of the fund source.

From funds provided in Specific Appropriation 13A, the department shall design, implement and manage the Technology Tools for Teachers (T3) program as an integrated, statewide system to deliver technology solutions to teachers. The department shall:

1) Determine eligible technology products and services. Options shall include laptop/tablet computers, digital projectors and screens, smart boards, and other peripheral equipment. Services shall include choices for hardware and software training and technical support. Eligible computers must contain appropriate hardware and software to enable teachers to perform efficient operations in Sunshine Connections.

2) Conduct competitive bids for the eligible products and services. Contracts resulting from the competitive bid process shall delineate the timeframe for the delivery of goods or services to the eligible teachers. Contracts shall achieve the lowest total cost of ownership by considering factors including appropriate levels of product standardization, volume purchasing power, and technology life-cycle implications. Contracts may include district-specific specifications.

3) Develop eligibility requirements for participating teachers pursuant to section 1012.01(2)(a), (b), (c), and (d), Florida Statutes. Teachers shall not be eligible to participate if their employing school district has not agreed to participate in the Sunshine Connections initiative.

4) Define the policies and procedures to improve teacher technology proficiency and ensure maximum utilization of available products and services.

5) Develop an online marketplace and information exchange for teachers to select, procure, and have direct-delivery of technology products and services and for districts to receive required information regarding teacher purchases. Products and services become the property of the employing school district upon delivery to teachers. Products purchased may employ a solution for asset tracking and theft recovery.

6) Develop a long-term plan to ensure the financial accountability of the program and report to the Legislature quarterly on program implementation.

Program: Workforce Education

13B Aid To Local Governments  
Workforce Development

From Educational Enhancement Trust 22,500,000  
Fund

Following Specific Appropriation 13B, INSERT:

Funds provided in Specific Appropriation 13B shall be allocated based on the distribution formula used in Specific Appropriation 133.

Community Colleges, Division Of  
Program: Community College Programs

17 In Section 01 On Page 005  
Aid To Local Governments  
Grants And Aids - Community College  
Lottery Funds

From Educational Enhancement Trust 115,925,000 150,925,000  
Fund

At the end of existing proviso language, following Specific Appropriation 17, INSERT:

From funds provided Specific Appropriation 17, \$35,000,000 shall be distributed to colleges using the program fund distribution formula used in the list above.

Universities, Division Of  
Program: Educational And General  
Activities

20 In Section 01 On Page 006  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

From Educational Enhancement Trust 122,286,758 162,286,758  
Fund

At the end of existing proviso language, following Specific Appropriation 20, INSERT:

From funds provided Specific Appropriation 20, \$40,000,000 shall be distributed to universities using the program fund distribution formula used in the list above.

Rep. Richardson moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 727

Speaker Bense in the Chair.

Yeas—34

Antone	Cusack	Henriquez	Peterman
Ausley	Fields	Holloway	Porth
Bendross-Mindingall	Gannon	Joyner	Richardson
Brandenburg	Gelber	Justice	Roberson
Brutus	Gibson, A.	Kendrick	Ryan
Bucher	Gottlieb	Machek	Sands
Bullard	Greenstein	Meadows	Seiler

Slosberg  
SmithSobel  
StanselTaylor  
VanaIn Section: 02 On Page: 025 Specific Appropriation: 99  
DELETE

INSERT

Nays—81

Adams	Cretul	Hukill	Proctor
Allen	Davis, D.	Johnson	Quinones
Altman	Davis, M.	Jordan	Reagan
Ambler	Dean	Kottkamp	Rice
Anderson	Domino	Kravitz	Rivera
Arza	Evers	Kreegel	Robaina
Attkisson	Farkas	Legg	Ross
Barreiro	Flores	Littlefield	Rubio
Baxley	Galvano	Llorente	Russell
Bean	Garcia	Lopez-Cantera	Sansom
Bense	Gardiner	Mahon	Simmons
Benson	Gibson, H.	Mayfield	Sorensen
Berfield	Glorioso	McInvale	Stargel
Bilirakis	Goldstein	Mealor	Traviesa
Bogdanoff	Goodlette	Murzin	Troutman
Bowen	Grant	Needelman	Waters
Brown	Grimsley	Negron	Williams
Cannon	Harrell	Patterson	Zapata
Carroll	Hasner	Pickens	
Clarke	Hays	Planas	
Coley	Homan	Poppell	

Representative(s) Vana offered the following:

(Amendment Bar Code: 990266)

**Profile Amendment 19—**In Section: 02 On Page: 025 Specific Appropriation: 99  
DELETE

INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - Non  
FEFP99 In Section 02 On Page 025  
Aid To Local Governments  
Grants And Aids - Teacher Recruitment And  
Retention

DELETE the proviso immediately following Specific Appropriation 99:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these funds, with at least \$50,000 available to each district. Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

and insert in lieu thereof:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these funds, with at least \$50,000 available to each district. Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers and how teacher retention by school site will be tracked, including maintaining records of reasons given for each teacher leaving employment at the school. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

Rep. Vana moved the adoption of the amendment.

Representative(s) Vana offered the following:

(Amendment Bar Code: 990284)

**Profile Substitute Amendment 19S—**EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - Non  
FEFP99 In Section 02 On Page 025  
Aid To Local Governments  
Grants And Aids - Teacher Recruitment And  
Retention

DELETE the proviso immediately following Specific Appropriation 99:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these funds, with at least \$50,000 available to each district. Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

and insert in lieu thereof:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these funds, with at least \$50,000 available to each district.

The funds must be used to support teacher recruitment and teacher retention programs in any of the following categories: tuition reimbursement; loan repayment; critical shortage subject area bonus; teacher bonuses; new teacher signing bonus; relocation or moving expenses; mortgage down payment assistance programs; and contracts with content experts to teach less than full-time.

Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers and how teacher retention by school site will be tracked, including maintaining records of reasons given for each teacher leaving employment at the school. A grant application requesting to expend more than fifty percent of the funds for teacher retention must demonstrate the district's need for teacher retention outweighs their need for teacher recruitment. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

Rep. Vana moved the adoption of the substitute amendment, which was adopted.

Representative(s) Coley and Sansom offered the following:

(Amendment Bar Code: 990267)

**Profile Amendment 20—**In Section: 02 On Page: 025 Specific Appropriation: 100  
DELETE

INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - Non  
FEFP100 In Section 02 On Page 025  
Aid To Local Governments  
Grants And Aids - Instructional MaterialsAt the end of existing proviso language, following Specific  
Appropriation 100, INSERT:

The funds allocated to the Panhandle Area Education Consortium (PAEC) shall be released to the Department of Education and disbursed to PAEC by September 1, 2006.

Rep. Coley moved the adoption of the amendment.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 990285)

**Profile Substitute Amendment 20S—**

In Section: 02 On Page: 028 Specific Appropriation: 110  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - Non  
FEFP

110 In Section 02 On Page 028  
Special Categories  
Grants And Aids - School District  
Matching Grants Program

Immediately following Specific Appropriation 110, DELETE:

Funds in Specific Appropriation 110 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, teacher recruitment and retention efforts, technical career education, and/or literacy initiatives. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Before any funds provided in Specific Appropriation 110 may be released to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that private cash has actually been received by the public school district education foundation seeking state matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program. Administrative costs for the program shall not exceed five percent.

and insert in lieu thereof:

Funds in Specific Appropriation 110 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, teacher recruitment and retention efforts, technical career education, and/or literacy initiatives. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Before any funds provided in Specific Appropriation 110 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that private cash has actually been received by the public school district education foundation seeking state matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program. Administrative costs for the program shall not exceed five percent.

In Section 02 On Page 024  
Budget Entity Proviso

Proviso immediately prior to Specific Appropriation 98, DELETE:

Of the funds provided in Specific Appropriations 110 and 114, 60 percent shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

and insert in lieu thereof:

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 100, 110, and 114, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

Rep. Pickens moved the adoption of the substitute amendment, which was adopted.

**Profile Amendment 21** was withdrawn.

Representative(s) Bendross-Mindingall, Vana, Smith, Richardson, Ausley, and A. Gibson offered the following:

(Amendment Bar Code: 990269)

**Profile Amendment 22—**

In Section: 01 On Page: 003 Specific Appropriation: 8  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - FEFP

8 In Section 01 On Page 003  
Aid To Local Governments  
Grants And Aids - District Lottery And  
School Recognition Program

From Educational Enhancement Trust 263,449,842 0  
Fund

DELETE the proviso immediately following Specific Appropriation 8:

Funds provided in Specific Appropriation 8 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of section 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the Florida School Recognition Program shall be awarded by the Commissioner in the amount of \$100 per student in each qualifying school, and

(b) funds remaining after the obligations in paragraph (a) have been fully met shall be allocated to all school districts by prorating the amount of the appropriation on each district's K-12 base funding. From the portion of funds allocated pursuant to this paragraph, school boards must allocate, not later than October 1, 2006, at least \$10 per unweighted FTE student to be used at the discretion of the school advisory council pursuant to sections 24.121(5) and 1001.452, Florida Statutes. Council funds must be accounted for and are subject to an annual audit.

Program: Educational Media & Technology  
Services

13A In Section 01 On Page 004  
Qualified Expenditure Category  
Technology Enhancements

From Educational Enhancement Trust 97,500,000 0  
Fund

DELETE the proviso immediately following Specific Appropriation 13A:

Funds in Specific Appropriation 13A are contingent upon the transfer of funds from the Pari-Mutuel Wagering Trust Fund to the Educational Enhancement Trust Fund. The Department of Education shall develop an implementation plan that takes into consideration the timing of fund transfers and the contingent nature of the fund source.

From funds provided in Specific Appropriation 13A, the department shall design, implement and manage the Technology Tools for Teachers (T3) program as an integrated, statewide system to deliver technology solutions to teachers. The department shall:

1) Determine eligible technology products and services. Options shall include laptop/tablet computers, digital projectors and screens, smart boards, and other peripheral equipment. Services shall include choices for hardware and software training and technical support. Eligible computers must contain appropriate hardware and software to enable teachers to perform efficient operations in Sunshine Connections.

2) Conduct competitive bids for the eligible products and services. Contracts resulting from the competitive bid process shall delineate the timeframe for the delivery of goods or services to the eligible teachers. Contracts shall achieve the lowest total cost of ownership by considering factors including appropriate levels of product standardization, volume purchasing power, and technology life-cycle implications. Contracts may include district-specific specifications.

3) Develop eligibility requirements for participating teachers pursuant to section 1012.01(2)(a), (b), (c), and (d), Florida Statutes. Teachers shall not be eligible to participate if their employing school district has not agreed to participate in the Sunshine Connections initiative.

4) Define the policies and procedures to improve teacher technology proficiency and ensure maximum utilization of available products and services.

5) Develop an online marketplace and information exchange for teachers to select, procure, and have direct-delivery of technology products and services and for districts to receive required information regarding teacher purchases. Products and services become the property of the employing school district upon delivery to teachers. Products purchased may employ a solution for asset tracking and theft recovery.

6) Develop a long-term plan to ensure the financial accountability of the program and report to the Legislature quarterly on program implementation.

Program: State Grants/K-12 Program - Non  
FEFP

99 In Section 02 On Page 025  
Aid To Local Governments  
Grants And Aids - Teacher Recruitment And  
Retention

From Principal State School Trust 27,000,000 0  
Fund

DELETE the proviso immediately following Specific Appropriation 99:

Funds in Specific Appropriation 99 are provided to create a Teacher Recruitment and Retention Matching Grant Program. The program will match local funds on a dollar-for-dollar basis to support the districts' efforts to recruit and retain quality classroom teachers. The Department of Education must adopt an allocation methodology for these funds, with at least \$50,000 available to each district. Grant applications must be submitted in a format specified by the Department of Education. At a minimum, grant applications must delineate the specific manner by which funds will be expended to attract and retain high-quality teachers. The grant application, including evidence of local matching funds, must be submitted to the department no later than October 31, 2006.

Program: State Grants/K-12 Program - FEFP

91 In Section 02 On Page 021  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

From Principal State School Trust	72,186,968	99,186,968
Fund		

DELETE the proviso immediately following Specific Appropriation 91:

From the funds in Specific Appropriation 91, \$210,000,000 is provided to assist school districts with implementation of performance and differentiated pay policies for instructional personnel in accordance with the requirements of law. These funds shall be allocated based on each district's proportion of the state total K-12 base funding, subject to review and approval of the district policies by the Department of Education. School districts shall submit their plans to the Department of Education no later than August 1, 2006. The Department of Education shall approve district plans or request plan revisions by September 15, 2006.

and insert in lieu thereof:

From the funds in Specific Appropriation 6A and 91, \$597,949,842 is provided to fund a base increase in teacher salary of \$2,800. In addition, funds in Specific Appropriation 91 are to assist school districts with implementation of performance and differentiated pay policies for instructional personnel in accordance with the requirements of law. These funds shall be allocated based on each district's proportion of the state total K-12 base funding, subject to review and approval of the district policies by the Department of Education. School districts shall submit their plans to the Department of Education no later than August 1, 2006. The Department of Education shall approve district plans or request plan revisions by September 15, 2006.

6A In Section 01 On Page 003  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

From Educational Enhancement Trust	360,949,842
Fund	

Immediately following Specific Appropriation 6A, INSERT:

The funds in Specific Appropriation 6A are allocated in Specific Appropriation 91.

## REPRESENTATIVE RUSSELL IN THE CHAIR

Rep. Bendross-Mindingall moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 728

Representative Russell in the Chair.

Yeas—37

Antone	Bullard	Gottlieb	Kendrick
Ausley	Cusack	Greenstein	Kreegel
Bendross-Mindingall	Fields	Henriquez	Legg
Brandenburg	Gannon	Holloway	Machek
Brutus	Gelber	Joyner	Meadows
Bucher	Gibson, A.	Justice	Peterman

Porth	Sands	Smith	Vana
Richardson	Sansom	Sobel	
Roberson	Seiler	Stansel	
Ryan	Slosberg	Taylor	

Nays—72

Adams	Clarke	Harrell	Planas
Allen	Coley	Hasner	Poppell
Ambler	Cretul	Hays	Proctor
Anderson	Davis, D.	Homan	Quinones
Arza	Davis, M.	Hukill	Reagan
Attkisson	Dean	Johnson	Rice
Barreiro	Domino	Jordan	Rivera
Baxley	Evers	Kottkamp	Robaina
Bean	Farkas	Littlefield	Ross
Benson	Flores	Llorente	Rubio
Berfield	Garcia	Mayfield	Russell
Bilirakis	Gardiner	McInvale	Sorensen
Bogdanoff	Gibson, H.	Mealor	Stargel
Bowen	Glorioso	Murzin	Traviesa
Brown	Goldstein	Needelman	Troutman
Brummer	Goodlette	Negron	Waters
Cannon	Grant	Patterson	Williams
Carroll	Grimsley	Pickens	Zapata

Votes after roll call:

Nays—Galvano, Kravitz, Simmons

Yeas to Nays—Kreegel, Legg, Sansom

Representative(s) Ausley, Smith, Bendross-Mindingall, Richardson, Vana, A. Gibson, and Roberson offered the following:

(Amendment Bar Code: 990270)

### Profile Amendment 23—

In Section: 01 On Page: 003 Specific Appropriation: 8  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - FEFP

8 In Section 01 On Page 003  
Aid To Local Governments  
Grants And Aids - District Lottery And  
School Recognition Program

From Educational Enhancement Trust	263,449,842	129,782
Fund		

Early Learning  
Prekindergarten Education

6A Special Categories  
Transfer Voluntary Prekindergarten Funds  
To Agency For Workforce Innovation

From Educational Enhancement Trust	263,320,060
Fund	

Immediately following Specific Appropriation 6A, INSERT:

Funds provided in Specific Appropriation 6A are allocated in Specific Appropriation 89.

89 In Section 02 On Page 020  
Special Categories  
Transfer Voluntary Prekindergarten Funds  
To Agency For Workforce Innovation

At the end of existing proviso language, following Specific Appropriation 89, INSERT:

From the funds provided in Specific Appropriations 6A and 89, \$263,320,060 is provided for a variable day model for a choice of either a 6-hour or 3-hour day.

Rep. Ausley moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 729

Representative Russell in the Chair.

Yeas—34

Antone	Gannon	Kendrick	Seiler
Ausley	Gelber	Machek	Slosberg
Bendross-Mindingall	Gibson, A.	Meadows	Smith
Brandenburg	Gottlieb	Peterman	Sobel
Brutus	Greenstein	Porth	Stansel
Bucher	Henriquez	Richardson	Taylor
Bullard	Holloway	Roberson	Vana
Cusack	Joyner	Ryan	
Fields	Justice	Sands	

Nays—83

Adams	Coley	Homan	Planas
Allen	Cretul	Hukill	Poppell
Altman	Davis, D.	Johnson	Proctor
Ambler	Davis, M.	Jordan	Quinones
Anderson	Dean	Kottkamp	Reagan
Arza	Domino	Kravitz	Rice
Attkisson	Evers	Kreegel	Rivera
Barreiro	Farkas	Kyle	Robaina
Baxley	Flores	Legg	Ross
Bean	Galvano	Littlefield	Rubio
Bense	Garcia	Llorente	Russell
Benson	Gardiner	Lopez-Cantera	Sansom
Berfield	Gibson, H.	Mahon	Simmons
Bilirakis	Glorioso	Mayfield	Sorensen
Bogdanoff	Goldstein	McInvale	Stargel
Bowen	Goodlette	Mealor	Traviesa
Brown	Grant	Murzin	Troutman
Brummer	Grimsley	Needelman	Waters
Cannon	Harrell	Negron	Williams
Carroll	Hasner	Patterson	Zapata
Clarke	Hays	Pickens	

Representative(s) Smith offered the following:

(Amendment Bar Code: 990214)

#### Profile Amendment 24—

In Section: 02 On Page: 009 Specific Appropriation: 30  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Program: Education - Fixed Capital Outlay

In Section 02 On Page 009  
30 Fixed Capital Outlay  
Community College Projects

DELETE the following proviso after Specific Appropriation 30:

Center for Preparedness - Broward CC..... 3,500,000

and insert in lieu thereof:

Rem/ren Public Safety Bldg 22 w/addition-Phase II ..... 3,500,000

Rep. Smith moved the adoption of the amendment, which was adopted.

Representative(s) Evers offered the following:

(Amendment Bar Code: 990220)

#### Profile Amendment 25—

In Section: 06 On Page: 272 Specific Appropriation: 2227A  
DELETE INSERT

PROGRAM: ADMINISTERED FUNDS

In Section 06 On Page 272  
2227A Lump Sum  
Hurricane Relief Funding

DELETE the following proviso immediately after Specific Appropriation 2227A:

Chumuckla Community Center Hardening - Santa Rosa County.... 300,000

and insert in lieu thereof:

Chumuckla Community Center Hardening - Santa Rosa County.... 275,000  
Pace Phase II Stormshelter ..... 25,000

Rep. Evers moved the adoption of the amendment, which was adopted.

Profile Amendments 26, 27, and 28 were withdrawn.

Representative(s) Coley offered the following:

(Amendment Bar Code: 990229)

#### Profile Amendment 29—

In Section: 06 On Page: 272 Specific Appropriation: 2227A  
DELETE INSERT

PROGRAM: ADMINISTERED FUNDS

In Section 06 On Page 272  
2227A Lump Sum  
Hurricane Relief Funding

DELETE the following proviso immediately after Specific Appropriation 2227A:

EOC - Jackson County..... 800,000

and insert in lieu thereof:

EOC - Jackson County..... 700,000  
Liberty County Special Needs Shelter..... 100,000

Rep. Coley moved the adoption of the amendment, which was adopted.

Representative(s) Smith offered the following:

(Amendment Bar Code: 990235)

#### Profile Amendment 30—

In Section: 06 On Page: 272 Specific Appropriation: 2227A  
DELETE INSERT

PROGRAM: ADMINISTERED FUNDS

In Section 06 On Page 272  
2227A Lump Sum  
Hurricane Relief Funding

At the end of existing proviso language, following Specific Appropriation 2227A, INSERT:

City of Lauderdale Lakes Police Department - Generators .....75,000  
City of Lauderhill - Generators .....75,000

Rep. Smith moved the adoption of the amendment, which was adopted.

Representative(s) M. Davis offered the following:

(Amendment Bar Code: 990244)

#### Profile Amendment 31—

In Section: On Page: 000 Specific Appropriation:  
DELETE INSERT

In Section On Page 000

PROGRAM: ADMINISTERED FUNDS

In Section 06 On Page 272  
2227A Lump Sum  
Hurricane Relief Funding

At the end of existing proviso language, following Specific Appropriation 2227A, INSERT:

City of Miramar Lake Embankment Erosion Project ..... 300,000

Rep. M. Davis moved the adoption of the amendment.

Representative(s) M. Davis offered the following:

(Amendment Bar Code: 990275)

**Profile Substitute Amendment 31S—**

In Section: On Page: 000 Specific Appropriation: DELETE INSERT

In Section On Page 000

PROGRAM: ADMINISTERED FUNDS

In Section 06 On Page 272  
2227A Lump Sum  
Hurricane Relief Funding

At the end of existing proviso language, following Specific Appropriation 2227A, INSERT:

City of Miramar Lake Embankment Erosion Project ..... 150,000

Rep. M. Davis moved the adoption of the substitute amendment, which was adopted.

Representative(s) Gannon offered the following:

(Amendment Bar Code: 990218)

**Profile Amendment 32—**

In Section: 03 On Page: 097 Specific Appropriation: 536 DELETE INSERT

HEALTH, DEPARTMENT OF  
Program: Community Public Health  
Family Health Outpatient And Nutrition  
Services

In Section 03 On Page 097  
536 Special Categories  
Grants And Aids - Crisis Counseling

Immediately following Specific Appropriation 536, INSERT:

The funds in Specific Appropriation 536 shall only be used in conjunction with programs or organizations that provide information and counseling to the public that are medically-accurate, meaning verified or supported by the weight of research conducted in compliance with accepted scientific methods, published in peer-reviewed journals where appropriate, and recognized as accurate and objective by leading professional organizations and agencies with relevant expertise in the field. In addition, the funds in Specific Appropriation 536 may only be used in conjunction with programs or organizations that provide information and counseling to the public that include full options counseling, meaning counseling includes medically-accurate information and referrals when necessary for carrying a pregnancy to term, parenting, adoption and abortion. For the funds in Specific Appropriation 536, priority will be granted to programs or organizations based in the State of Florida.

Rep. Gannon moved the adoption of the amendment, which failed of adoption.

Representative(s) Richardson offered the following:

(Amendment Bar Code: 990233)

**Profile Amendment 33—**

In Section: 03 On Page: 103 Specific Appropriation: 590A DELETE INSERT

HEALTH, DEPARTMENT OF  
Program: Community Public Health  
County Health Departments Local Health

Needs

In Section 03 On Page 103  
590A Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Family Health Facilities

From Tobacco Settlement Trust Fund 4,280,000 4,255,000

In Section 03, on Page 103, DELETE the following:

Gadsden Comprehensive Rural Health and Education Center..... 100,000

In Section 03, on Page 103, INSERT the following:

Gadsden Comprehensive Rural Health and Education Center..... 75,000

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Family Safety Program  
Child Protection And Permanency

In Section 03 On Page 074  
355 Special Categories  
Grants And Aids - Child Protection

From Tobacco Settlement Trust Fund 5,657,066 5,682,066

Immediately following Specific Appropriation 355, INSERT:

In addition to any existing funding for recurring projects, the following project from Specific Appropriation 355 is funded from non-recurring tobacco settlement funds:

One Church One Child - Statewide..... \$25,000

Rep. Richardson moved the adoption of the amendment, which was adopted.

Representative(s) Richardson offered the following:

(Amendment Bar Code: 990236)

**Profile Amendment 34—**

In Section: 03 On Page: 103 Specific Appropriation: 590A DELETE INSERT

HEALTH, DEPARTMENT OF  
Program: Community Public Health  
County Health Departments Local Health  
Needs

In Section 03 On Page 103  
590A Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Family Health Facilities

From Tobacco Settlement Trust Fund 4,280,000 4,255,000

In Section 03, on Page 103, DELETE the following:

Gadsden Comprehensive Rural Health and Education Center..... 100,000

In Section 03, on Page 103, INSERT the following:

Gadsden Comprehensive Rural Health and Education Center..... 75,000

In Section 03 On Page 102  
581 Aid To Local Governments  
Grants And Aids - Minority Health  
Initiatives

From Tobacco Settlement Trust Fund 235,000 260,000

Immediately following proviso dor Specific Appropriation 581, INSERT:

Gretna Wellness Center - Gadsden..... 25,000

Rep. Richardson moved the adoption of the amendment, which was adopted.

Representative(s) Barreiro offered the following:

(Amendment Bar Code: 990238)

**Profile Amendment 35—**

In Section: 03 On Page: 073 Specific Appropriation: 348  
DELETE INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Family Safety Program  
Child Abuse Prevention And Intervention

348 In Section 03 On Page 073  
Special Categories  
Grants And Aids - Child Abuse Prevention  
And Intervention

Immediately following Specific Appropriation 348, INSERT:

From the funds provided in Specific Appropriations 348 through 361, \$91,620,332 is provided as a fixed-payment grant to the community-based care lead agency serving Miami-Dade and Monroe counties and \$64,329,678 is provided to the community-based care lead agency serving Broward County contingent upon passage of House Bill 5011 or similar legislation, which transfers certain responsibilities from the Department of Children and Family Services to specified community-based care lead agencies.

Rep. Barreiro moved the adoption of the amendment.

Representative(s) Barreiro offered the following:

(Amendment Bar Code: 990282)

**Profile Substitute Amendment 35S—**

In Section: 03 On Page: 073 Specific Appropriation: 350  
DELETE INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Family Safety Program  
Child Protection And Permanency

350 In Section 03 On Page 073  
Salaries And Benefits

Immediately following Specific Appropriation 350, INSERT:

From the funds in Specific Appropriations 350, 351, 352, 352A, 354, 355, 357, 358, 359, 360, and 361, \$91,620,332 is provided as a fixed-payment grant to the community-based care lead agency serving Miami-Dade and Monroe counties and \$64,329,678 is provided to the community-based care lead agency serving Broward County contingent upon the passage of House Bill 5011 or similar legislation, which transfers certain responsibilities from the Department of Children and Family Services to specified community-based care lead agencies.

Rep. Barreiro moved the adoption of the substitute amendment, which was adopted.

**Profile Amendment 36** was withdrawn.

Representative(s) Sands offered the following:

(Amendment Bar Code: 990241)

**Profile Amendment 37—**

In Section: 03 On Page: 105 Specific Appropriation: 601  
DELETE INSERT

HEALTH, DEPARTMENT OF  
Program: Community Public Health  
Statewide Public Health Support Services

601 In Section 03 On Page 105  
Special Categories  
James And Esther King Biomedical Research  
Program

At the end of existing proviso language, following Specific Appropriation 601, INSERT:

From the funds in Specific Appropriation 601, \$1,000,000 shall be used to fund adult, umbilical cord and embryonic stem cell research grants.

THE SPEAKER IN THE CHAIR

Rep. Sands moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 730

Speaker Bense in the Chair.

Yeas—40

Anderson	Domino	Justice	Roberson
Antone	Fields	Kendrick	Ryan
Ausley	Gannon	Llorente	Sands
Bendross-Mindingall	Gelber	Machek	Seiler
Brandenburg	Gibson, A.	Meadows	Slosberg
Brutus	Gottlieb	Peterman	Smith
Bucher	Greenstein	Planas	Sobel
Bullard	Henriquez	Porth	Stansel
Cusack	Homan	Richardson	Taylor
Dean	Joyner	Robaina	Vana

Nays—73

Adams	Coley	Johnson	Quinones
Allen	Cretul	Jordan	Reagan
Altman	Davis, D.	Kottkamp	Rice
Ambler	Davis, M.	Kravitz	Rivera
Arza	Farkas	Kreegel	Ross
Attkisson	Galvano	Kyle	Rubio
Barreiro	Garcia	Legg	Russell
Bean	Gardiner	Littlefield	Sansom
Bense	Gibson, H.	Lopez-Cantera	Simmons
Benson	Glorioso	Mahon	Sorensen
Berfield	Goldstein	Mayfield	Stargel
Bilirakis	Goodlette	Mealor	Traviesa
Bogdanoff	Grant	Murzin	Troutman
Bowen	Grimsley	Needelman	Waters
Brown	Harrell	Negron	Williams
Brummer	Hasner	Patterson	Zapata
Cannon	Hays	Pickens	
Carroll	Holloway	Poppell	
Clarke	Hukill	Proctor	

Votes after roll call:

Nays—Baxley, Evers, Flores

**Profile Amendment 38** was withdrawn.

Representative(s) Rice offered the following:

(Amendment Bar Code: 990245)

**Profile Amendment 39—**

In Section: 03 On Page: 069 Specific Appropriation: 299  
DELETE INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF  
Administration  
Program: Executive Leadership  
Executive Direction And Support Services

299 In Section 03 On Page 069  
Expenses

From General Revenue Fund	965,475	446,238
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Services  
Program: Family Safety Program  
Child Protection And Permanency

353 In Section 03 On Page 074  
Special Categories  
Grants And Aids - Grants To Sheriffs For  
Protective Investigations

From General Revenue Fund	21,371,855	21,891,092
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Immediately following Specific Appropriation 353, INSERT:

From funds in Specific Appropriation 353, \$519,237 from the General Revenue Fund is provided to increase the child protection investigations grant to Pinellas County Sheriff's Office.

Rep. Rice moved the adoption of the amendment, which was adopted.

Representative(s) Richardson offered the following:

(Amendment Bar Code: 990247)

**Profile Amendment 40—**

In Section: 03 On Page: 103 Specific Appropriation: 584		DELETE	INSERT
HEALTH, DEPARTMENT OF Program: Community Public Health County Health Departments Local Health Needs			
584	In Section 03 On Page 103 Aid To Local Governments Community Health Initiatives		
	From County Health Department Trust Fund	500,000	250,000
Program: Health Care Practitioner And Access Community Health Resources			
655	In Section 03 On Page 111 Special Categories Grants And Aids - Contracted Services		
	From County Health Department Trust Fund		250,000

Immediately following Specific Appropriation 655, INSERT:

From the funds in Specific Appropriation 655, \$250,000 from the County Health Department Trust Fund is provided for the Florida Health Services Corporation.

Rep. Richardson moved the adoption of the amendment. Subsequently, **Profile Amendment 40** was withdrawn.

Representative(s) Bean offered the following:

(Amendment Bar Code: 990248)

**Profile Amendment 41—**

In Section: 03 On Page: 105 Specific Appropriation: 599		DELETE	INSERT
HEALTH, DEPARTMENT OF Program: Community Public Health Statewide Public Health Support Services			
599	In Section 03 On Page 105 Special Categories Grants And Aids - Contracted Services		
	From Tobacco Settlement Trust Fund	5,165,339	5,065,339
593	In Section 03 On Page 104 Expenses		
	From Tobacco Settlement Trust Fund	100,000	200,000

Immediately following Specific Appropriation 593, INSERT:

From the funds in Specific Appropriation 593, \$100,000 in non-recurring tobacco settlement funds shall be used to purchase Oseltamivir (Tamiflu) Antivirus medication.

Rep. Bean moved the adoption of the amendment, which was adopted.

**Profile Amendment 42** was withdrawn.

Representative(s) Robaina offered the following:

(Amendment Bar Code: 990251)

**Profile Amendment 43—**

In Section: 03 On Page: 095 Specific Appropriation: 514		DELETE	INSERT
HEALTH, DEPARTMENT OF Program: Executive Direction And Support			

Information Technology

514	In Section 03 On Page 095 Expenses		
	From General Revenue Fund	9,062,586	8,362,586
CHILDREN AND FAMILIES, DEPARTMENT OF Services Program: Mental Health Program Adult Community Mental Health Services			
386A	In Section 03 On Page 079 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Mental Health/Substance Abuse Facilities		
	From General Revenue Fund	50,000	750,000
Immediately following Specific Appropriation 386A, DELETE:			
	Psychosocial Rehabilitation Clubhouse - Dade.....		50,000
and insert in lieu thereof:			
	Psychosocial Rehabilitation Clubhouse - Dade.....		750,000

Rep. Robaina moved the adoption of the amendment. Subsequently, **Profile Amendment 43** was withdrawn.

Representative(s) Cusack, Bucher, Vana, Richardson, A. Gibson, Holloway, Smith, Ausley, Bendross-Mindingall, and Roberson offered the following:

(Amendment Bar Code: 990255)

**Profile Amendment 44—**

In Section: 03 On Page: 050 Specific Appropriation: 196		DELETE	INSERT
AGENCY FOR HEALTH CARE ADMINISTRATION Program: Health Care Services Executive Direction And Support Services			
196	In Section 03 On Page 050 Special Categories Contracted Services		
	From General Revenue Fund	13,063,319	8,063,319
Children's Special Health Care			
186	In Section 03 On Page 049 Special Categories Contracted Services		
	From General Revenue Fund	273,200	5,273,200
At the end of existing proviso language, following Specific Appropriation 186, INSERT:			

From the funds in Specific Appropriation 186, \$5 million in general revenue funds shall be appropriated to the Florida Department of Health to contract with the Covering Kids and Families Coalition through the University of South Florida, to continue and expand community based outreach, education, and enrollment efforts for the Florida KidCare Program. The program shall provide direct, community based assistance and support to eligible families, including, but not limited to, one-on-one application assistance, special application and enrollment projects, targeted outreach to hard to reach groups including minority populations, and recruiting and training business and community partners for the purpose of leveraging additional local resources.

Rep. Cusack moved the adoption of the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 731

Speaker Bense in the Chair.

Yeas—34

Antone	Bendross-Mindingall	Brutus	Bullard
Ausley	Brandenburg	Bucher	Carroll

Cusack	Henriquez	Porth	Smith
Fields	Holloway	Richardson	Sobel
Gannon	Joyner	Roberson	Stansel
Gelber	Justice	Ryan	Taylor
Gibson, A.	Kendrick	Sands	Vana
Gottlieb	Machek	Seiler	
Greenstein	Meadows	Slosberg	

VETERANS' AFFAIRS, DEPARTMENT OF  
Program: Services To Veterans' Program  
Veterans' Benefits And Assistance

692A In Section 03 On Page 110  
Special Categories  
Veterans' Dental Program

From General Revenue Fund

5,000,000

Nays—75

Adams	Cretul	Homan	Poppell
Allen	Davis, D.	Hukill	Proctor
Altman	Davis, M.	Johnson	Quinones
Ambler	Dean	Jordan	Reagan
Arza	Evers	Kottkamp	Rice
Attkisson	Farkas	Kravitz	Rivera
Barreiro	Flores	Kreegel	Robaina
Baxley	Galvano	Kyle	Rubio
Bean	Garcia	Legg	Russell
Bense	Gardiner	Littlefield	Sansom
Benson	Gibson, H.	Lopez-Cantera	Simmons
Berfield	Glorioso	Mahon	Sorensen
Bogdanoff	Goldstein	Mayfield	Stargel
Bowen	Goodlette	Mealor	Traviesa
Brown	Grant	Murzin	Troutman
Brummer	Grimsley	Needelman	Waters
Cannon	Harrell	Negron	Williams
Clarke	Hasner	Patterson	Zapata
Coley	Hays	Pickens	

Rep. Vana moved the adoption of the substitute amendment, which failed of adoption. The vote was:

Session Vote Sequence: 732

Speaker Bense in the Chair.

Yeas—34

Antone	Gannon	Kendrick	Seiler
Ausley	Gelber	Machek	Slosberg
Bendross-Mindingall	Gibson, A.	Meadows	Smith
Brandenburg	Gottlieb	Peterman	Sobel
Brutus	Greenstein	Porth	Stansel
Bucher	Henriquez	Proctor	Taylor
Bullard	Holloway	Richardson	Vana
Cusack	Joyner	Roberson	
Fields	Justice	Sands	

Nays—75

Votes after roll call:

Yeas—Peterman

Nays—Llorente, Planas, Ross

Representative(s) Vana offered the following:

(Amendment Bar Code: 990260)

**Profile Amendment 45—**

In Section: 06 On Page: 309 Specific Appropriation: 2682  
DELETE

INSERT

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: Office Of Tourism, Trade And  
Economic Development  
Economic Development Programs And  
Projects

2682 In Section 06 On Page 309  
Lump Sum  
Economic Development Tools

From General Revenue Fund 21,420,000 19,420,000

VETERANS' AFFAIRS, DEPARTMENT OF  
Program: Services To Veterans' Program  
Veterans' Benefits And Assistance

692A In Section 03 On Page 110  
Special Categories  
Veterans' Dental Program

From General Revenue Fund 2,000,000

Rep. Vana moved the adoption of the substitute amendment.

Representative(s) Vana offered the following:

(Amendment Bar Code: 990280)

**Profile Substitute Amendment 45S—**

In Section: 03 On Page: 050 Specific Appropriation: 196  
DELETE

INSERT

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Executive Direction And Support Services

196 In Section 03 On Page 050  
Special Categories  
Contracted Services

From General Revenue Fund 13,063,319 8,063,319

Votes after roll call:

Nays—Ross

The question recurred on the adoption of **Profile Amendment 45**, which was withdrawn.

Representative(s) Gelber offered the following:

(Amendment Bar Code: 990213)

**Profile Amendment 46—**

In Section: 05 On Page: 232 Specific Appropriation: 1821  
DELETE

INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Water Resource Management  
Water Resource Protection And Restoration

1821 In Section 05 On Page 232  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Water Projects

DELETE from the proviso immediately following Specific Appropriation  
1821:

Miami Beach Stormwater Infrastructure Improvements..... 1,500,000

and insert in lieu thereof:

Miami Beach Stormwater Infrastructure Improvements..... 1,450,000

Biscayne Park Flood Protection & Stormwater Management Planning & Implementation..... 50,000

Rep. Gelber moved the adoption of the amendment, which was adopted.

Representative(s) Gelber offered the following:

(Amendment Bar Code: 990215)

**Profile Amendment 47—**

In Section: 05 On Page: 232 Specific Appropriation: 1821  
DELETE INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Water Resource Management  
Water Resource Protection And Restoration

1821 In Section 05 On Page 232  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Water Projects

DELETE from the proviso immediately following Specific Appropriation  
1821:

Miami Beach Stormwater Infrastructure Improvements..... 1,500,000

and insert in lieu thereof:

Miami Beach Stormwater Infrastructure Improvements..... 1,450,000  
Surfside Stormwater Improvements..... 50,000

Rep. Gelber moved the adoption of the amendment, which was adopted.

Representative(s) Mayfield offered the following:

(Amendment Bar Code: 990216)

**Profile Amendment 48—**

In Section: 05 On Page: 231 Specific Appropriation: 1814A  
DELETE INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Water Resource Management  
Water Resource Protection And Restoration

1814A In Section 05 On Page 231  
Special Categories  
Transfer To Ecosystem Management And  
Restoration Trust Fund

From General Revenue Fund 82,675,354 80,775,354

1821 In Section 05 On Page 232  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Water Projects

From Ecosystem Management And 142,275,354 140,375,354  
Restoration Trust Fund

DELETE this line of proviso immediately following Specific Appropriation  
1821:

Indian River Lagoon Initiative, FY 2006-2007--Upper St.  
Johns River Basin Acquisition & Improvements..... 17,900,000

and insert in lieu thereof:

Indian River Lagoon Initiative, FY 2006-2007--Upper St.  
Johns River Basin Acquisition & Improvements..... 16,000,000

AGRICULTURE AND CONSUMER SERVICES,  
DEPARTMENT OF, AND COMMISSIONER OF  
AGRICULTURE  
Program: Forest And Resource Protection  
Wildfire Prevention And Management

1424A In Section 05 On Page 193  
Special Categories  
Forest Management

From General Revenue Fund 1,900,000

Rep. Mayfield moved the adoption of the amendment.

Representative(s) Mayfield offered the following:

(Amendment Bar Code: 990277)

**Profile Substitute Amendment 48S—**

In Section: 05 On Page: 231 Specific Appropriation: 1814A  
DELETE INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Water Resource Management  
Water Resource Protection And Restoration

1814A In Section 05 On Page 231  
Special Categories  
Transfer To Ecosystem Management And  
Restoration Trust Fund

From General Revenue Fund 82,675,354 80,775,354

1821 In Section 05 On Page 232  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Water Projects

From Ecosystem Management And 142,275,354 140,375,354  
Restoration Trust Fund

DELETE from the proviso immediately following Specific Appropriation  
1821:

Indian River Lagoon Initiative, FY 2006-2007--Upper St.  
Johns River Basin Acquisition & Improvements..... 17,900,000  
Doral--Municipal Park Improvements..... 500,000  
Sarasota Bay Restoration..... 250,000

and insert in lieu thereof:

Indian River Lagoon Initiative, FY 2006-2007--Upper St.  
Johns River Basin Acquisition & Improvements..... 16,000,000  
Doral--Stormwater Drainage Improvements..... 500,000  
Sarasota Bay Restoration..... 200,000  
Phillippi Creek Septic System Replacement Program..... 50,000

AGRICULTURE AND CONSUMER SERVICES,  
DEPARTMENT OF, AND COMMISSIONER OF  
AGRICULTURE  
Program: Forest And Resource Protection  
Wildfire Prevention And Management

1424A In Section 05 On Page 193  
Special Categories  
Forest Management

From General Revenue Fund 1,900,000

Rep. Mayfield moved the adoption of the substitute amendment, which was adopted.

Representative(s) Russell offered the following:

(Amendment Bar Code: 990217)

**Profile Amendment 49—**

In Section: 05 On Page: 235 Specific Appropriation: 1827  
DELETE INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Water Resource Management  
Water Resource Protection And Restoration

1827 In Section 05 On Page 235  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aid Water Management District  
Alternative Water Supply

From Water Protection And 60,000,000 59,250,000  
Sustainability Program Trust Fund

DELETE from the proviso immediately following Specific Appropriation  
1827:

Brooksville Water System Improvement Project..... 1,500,000

and insert in lieu thereof:

Brooksville Water System Improvement Project..... 750,000

In Section 05 On Page 232  
 1821 Grants And Aids To Local Governments And  
 Nonstate Entities - Fixed Capital Outlay  
 Grants And Aids - Water Projects

From Ecosystem Management And      142,275,354      143,025,354  
 Restoration Trust Fund

Following Specific Appropriation 1821, INSERT:

Brooksville Sewer Rehabilitation Project..... 750,000

Rep. Russell moved the adoption of the amendment.

Representative(s) Russell offered the following:

(Amendment Bar Code: 990273)

**Profile Substitute Amendment 49S—**

In Section: 05 On Page: 232 Specific Appropriation: 1821  
 DELETE      INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
 Program: Water Resource Management  
 Water Resource Protection And Restoration

In Section 05 On Page 232  
 1821 Grants And Aids To Local Governments And  
 Nonstate Entities - Fixed Capital Outlay  
 Grants And Aids - Water Projects

DELETE from the proviso immediately following Specific Appropriation  
 1821:

Hernando Co.--Peck Sink Watershed Initiative..... 1,000,000

and insert in lieu thereof:

Hernando Co.--Peck Sink Watershed Initiative..... 800,000  
 Brooksville Sewer Rehabilitation Project..... 200,000

Rep. Russell moved the adoption of the substitute amendment, which was adopted.

Representative(s) Sorensen offered the following:

(Amendment Bar Code: 990228)

**Profile Amendment 50—**

In Section: 05 On Page: 232 Specific Appropriation: 1818  
 DELETE      INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
 Program: Water Resource Management  
 Water Resource Protection And Restoration

In Section 05 On Page 232  
 1818 Fixed Capital Outlay  
 Keys Wastewater Management Plan  
 Implementation

Following Specific Appropriation 1818, INSERT:

Funds in Specific Appropriation 1818 shall be used by the Department of Environmental Protection to fund the construction of wastewater facility projects in Monroe County and in the City of Key West. This appropriation shall be distributed as follows: Monroe County shall receive \$18,000,000 and the City of Key West shall receive \$2,000,000. In order to be eligible for funding under this specific appropriation, each grant recipient must document that the wastewater project:

Is designed to meet the wastewater treatment and disposal requirements in Chapter 99-395, Laws of Florida, as amended;

Is included in the Monroe County Sanitary Wastewater Master Plan or other formally adopted planning document addressing engineering and financing;

Involves exclusively construction or design-build;

Has been openly procured among contractors qualified to build wastewater facilities in the physical environment of the Florida Keys;

Is to be located on sites acquired no later than March 1, 2007;

Will initiate construction no later than May 1, 2007;

Will result in the completion of entire facilities or significant phases of facilities;

Leverages other moneys (local funds, including local bonding; Department of Environmental Protection State Revolving Fund loans; or other sources of money) to the maximum extent possible;

Shall provide at least a 60 percent match from any other sources except a direct line item appropriation from the State Legislature.

Has in place a system of user charges, fees, assessments, or other funding mechanisms to pay for the completion of construction and long-term operation and maintenance of the project; and

Provides mechanisms to ease the cost-burden of the project on low-income residents.

Monroe County and the City of Key West must document timely fulfillment of the requirements in this specific appropriation to the Department of Environmental Protection for each project for which funding is requested. Monroe County and the City of Key West must meet the completion deadlines established in any funding contract or grant agreement with the department. Any project that does not meet the requirements herein is not eligible for funding.

The Secretary shall identify and approve the distribution of funds contingent upon the above criteria being fulfilled. Any funds that cannot be committed as a result of a project's failure to proceed in accordance with the criteria herein and initiate construction by May 1, 2007, shall be recommended for reallocation by the Secretary of the Department of Environmental Protection, to other projects that meet the criteria.

Funds are to be counted toward the non-federal contribution of any federal funds provided for water quality improvements in the Florida Keys.

After meeting the requirements, the Secretary of the Department shall release the funds provided in Specific Appropriation 1818 for the purpose of carrying out the provisions in this section.

Rep. Sorensen moved the adoption of the amendment, which was adopted.

Representative(s) Gelber offered the following:

(Amendment Bar Code: 990230)

**Profile Amendment 51—**

In Section: 05 On Page: 243 Specific Appropriation: 1921A  
 DELETE      INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
 Program: Recreation And Parks  
 State Park Operations

In Section 05 On Page 243  
 1921A Grants And Aids To Local Governments And  
 Nonstate Entities - Fixed Capital Outlay  
 Local Parks

DELETE from the proviso immediately following Specific Appropriation  
 1921A:

South Miami--Citywide Bike Path Master Plan..... 250,000

and insert in lieu thereof:

South Miami--Citywide Bike Path Master Plan..... 150,000  
 Surfside Beach Walk..... 100,000

Rep. Gelber moved the adoption of the amendment, which was adopted.

Representative(s) Cretul offered the following:

(Amendment Bar Code: 990231)

**Profile Amendment 52—**

In Section: 05 On Page: 235 Specific Appropriation: 1827  
 DELETE      INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
 Program: Water Resource Management  
 Water Resource Protection And Restoration

In Section 05 On Page 235  
 1827 Grants And Aids To Local Governments And  
 Nonstate Entities - Fixed Capital Outlay



3248A	Special Categories State Courts Due Process Costs		
	From General Revenue Fund	3,650,000	3,638,436
	Program: District Courts Of Appeal Court Operations - Appellate Courts		
3250	Other Personal Services		
	From General Revenue Fund	489,533	501,097

Rep. Ross moved the adoption of the amendment, which was adopted.

Representative(s) Kottkamp offered the following:

(Amendment Bar Code: 990257)

**Prefile Amendment 60—**

In Section: 07 On Page: 372 Specific Appropriation: 3248A  
DELETE INSERT

STATE COURT SYSTEM  
Administered Funds - Judicial  
Court Operations - Administered Funds

3248A	In Section 07 On Page 372 Special Categories State Courts Due Process Costs		
	From General Revenue Fund	3,650,000	3,550,000
	JUSTICE ADMINISTRATION Program: Justice Administrative Commission Executive Direction And Support Services		

868B	In Section 04 On Page 131 Lump Sum Lump Sum--Animal Cruelty Pilot Project		
	From General Revenue Fund		100,000

Following Specific Appropriation 868B, INSERT:

Funds in Specific Appropriation 868B are provided to the Justice Administrative Commission for a pilot project within a state attorney's office to test the efficacy of providing a dedicated attorney position to prosecute animal cruelty cases. The Commission shall select the pilot circuit from state attorneys who indicate interest in conducting the pilot. The Commission shall provide an evaluation of the pilot project to the Governor, President of the Senate, and Speaker of the House of Representatives by March 1, 2007.

Rep. Kottkamp moved the adoption of the amendment, which was adopted.

Representative(s) Kottkamp offered the following:

(Amendment Bar Code: 990272)

**Prefile Amendment 61—**

In Section: 07 On Page: 372 Specific Appropriation: 3248A  
DELETE INSERT

STATE COURT SYSTEM  
Administered Funds - Judicial  
Court Operations - Administered Funds

3248A	In Section 07 On Page 372 Special Categories State Courts Due Process Costs		
	From General Revenue Fund	3,650,000	3,468,753
	Program: District Courts Of Appeal Court Operations - Appellate Courts		
3249	Salaries And Benefits		
	Positions: From General Revenue Fund	438 35,576,099	440 35,735,097

Immediately following Specific Appropriation 3249, INSERT:

In addition to the funds and positions authorized in Specific

Appropriation 3249, 106,540 of additional salary rate is authorized.

3250	Other Personal Services		
	From General Revenue Fund	489,533	487,590
3251	Expenses		
	From General Revenue Fund	2,669,888	2,689,380
3252	Operating Capital Outlay		
	From General Revenue Fund	391,577	395,777
3257	In Section 07 On Page 373 Special Categories Transfer To Department Of Management Services - Human Resources Services Purchased Per Statewide Contract		
	From General Revenue Fund	110,378	110,878

Rep. Kottkamp moved the adoption of the amendment, which was adopted.

On motion by Rep. Carroll, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Carroll offered the following:

(Amendment Bar Code: 990274)

**Prefile Amendment 62—**

In Section: 06 On Page: 318 Specific Appropriation: 2683  
DELETE INSERT

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: Office Of Tourism, Trade And  
Economic Development  
Economic Development Programs And  
Projects

2683	In Section 06 On Page 318 Special Categories Grants And Aids - Black Business Investment Board		
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In Section 06, on Page 318, INSERT the following:

The Office of Program Policy Analysis and Government Accountability (OPPAGA) and the Auditor General shall jointly conduct a comprehensive program review of the Black Business Investment Board, its subsidiaries or affiliates, and all nine Black Business Investment Corporations in the individual and collective performance of their statutory and contract duties imposed under ss. 288.707-714, F.S. OPPAGA and the Auditor General shall provide a report of their findings and recommendations for legislative changes to the program by February 1, 2007 to the Governor, the President of the Senate and the Speaker of the House of Representatives.

Rep. Carroll moved the adoption of the amendment, which was adopted.

**Prefile Amendment 63** was withdrawn.

On motion by Rep. Simmons, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Simmons offered the following:

(Amendment Bar Code: 990286)

**Prefile Amendment 64—**

In Section: 05 On Page: 210 Specific Appropriation: 1589A  
DELETE INSERT

COMMUNITY AFFAIRS, DEPARTMENT OF  
Program: Emergency Management  
Emergency Planning

1589A	In Section 05 On Page 210 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Local Emergency Management Facilities		
-------	--	--	--

From General Revenue Fund 4,604,139 4,504,139

Immediately following Specific Appropriation 1589A, DELETE:

Regional Emergency Operation Center - Duval County..... 3,344,569

and insert in lieu thereof:

Regional Emergency Operation Center - Duval County..... 3,244,569

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: Office Of Tourism, Trade And  
Economic Development  
Economic Development Programs And  
Projects

2685A In Section 06 On Page 318  
Special Categories  
Economic Development Projects

From General Revenue Fund 10,505,641 10,605,641

Immediately following Specific Appropriation 2685A, INSERT:

SBA NEC/Business Incubator Center.....\$100,000

Rep. Simmons moved the adoption of the amendment, which was adopted.

On motion by Rep. Simmons, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Simmons offered the following:

(Amendment Bar Code: 990287)

#### **Prefile Amendment 65—**

In Section: On Page: 000 Specific Appropriation: DELETE INSERT

In Section On Page 000

COMMUNITY AFFAIRS, DEPARTMENT OF  
Program: Emergency Management  
Emergency Planning

1589A In Section 05 On Page 210  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Local Emergency Management Facilities

From General Revenue Fund 4,604,139 4,504,139

Immediately following Specific Appropriation 1589A, DELETE:

Regional Emergency Operation Center - Duval County .....3,344,569

and insert in lieu thereof:

Regional Emergency Operation Center - Duval County .....3,244,569

GOVERNOR, EXECUTIVE OFFICE OF THE  
Program: Office Of Tourism, Trade And  
Economic Development  
Economic Development Programs And  
Projects

2685A In Section 06 On Page 318  
Special Categories  
Economic Development Projects

From General Revenue Fund 10,505,641 10,605,641

Immediately following Specific Appropriation 2685A, INSERT:

Florida Interactive Entertainment Academy Project ..... \$100,000

Rep. Simmons moved the adoption of the amendment, which was adopted.

On motion by Rep. D. Davis, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) D. Davis offered the following:

(Amendment Bar Code: 990288)

#### **Prefile Amendment 66—**

In Section: 06 On Page: 283 Specific Appropriation: 2303A DELETE INSERT

AGENCY FOR WORKFORCE INNOVATION  
Early Learning  
Early Learning Services

2303A In Section 06 On Page 283  
Special Categories  
School Readiness Services

From General Revenue Fund 350,000 366,820

At the end of existing proviso language, following Specific Appropriation 2303A, INSERT:

Mobility Opportunities Via Education Program ..... 16,820

COMMUNITY AFFAIRS, DEPARTMENT OF  
Program: Emergency Management  
Emergency Planning

1589A In Section 05 On Page 210  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Local Emergency Management Facilities

From General Revenue Fund 4,604,139 4,587,319

In Section 05, on Page 210, DELETE the following:

Regional Emergency Operation Center - Duval County..... 3,344,569

and insert in lieu thereof:

Regional Emergency Operation Center - Duval County..... 3,327,749

Rep. D. Davis moved the adoption of the amendment, which was adopted.

**Prefile Amendment 67** was withdrawn.

On motion by Rep. Roberson, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Roberson offered the following:

(Amendment Bar Code: 990262)

#### **Prefile Amendment 68—**

In Section: 03 On Page: 091 Specific Appropriation: 483 DELETE INSERT

ELDER AFFAIRS, DEPARTMENT OF  
Program: Services To Elders Program  
Home And Community Services

483 In Section 03 On Page 091  
Special Categories  
Grants And Aids - Local Services Programs

In proviso immediately following Specific Appropriation 483 in the list of non-recurring projects, DELETE:

The Quality of Life Program - Dade..... 50,000

and insert in lieu thereof:

The Quality of Life Program - Dade..... 40,000  
Northeast Dade Senior Wellness Program..... 10,000

Rep. Roberson moved the adoption of the amendment, which was adopted.

On motion by Rep. Richardson, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Jennings offered the following:

(Amendment Bar Code: 990276)

#### **Prefile Amendment 69—**

In Section: 03 On Page: 105 Specific Appropriation: 599 DELETE INSERT

HEALTH, DEPARTMENT OF  
Program: Community Public Health  
Statewide Public Health Support Services

599 In Section 03 On Page 105  
Special Categories  
Grants And Aids - Contracted Services

From General Revenue Fund	1,298,116	1,198,116
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AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Executive Direction And Support Services

196 In Section 03 On Page 050  
Special Categories  
Contracted Services

From General Revenue Fund	13,063,319	13,163,319
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At the end of existing proviso language, following Specific  
Appropriation 196, INSERT:

From the funds in Specific Appropriation 196, up to \$100,000 from the General Revenue Fund, subject to private matching funds, is provided to the agency to contract with the University of Florida Center for Medicaid and the Uninsured for the creation of the Center for Health Care Racial Disparities within the Center for Medicaid and the Uninsured. The Center for Health Care Racial Disparities shall focus its effort toward the study of racial disparities in access to health care. A portion of the funds will be used to support research conducted by students at Florida A & M University. At no time shall funds provided by the agency exceed those funds which are raised from private sources.

Rep. Richardson moved the adoption of the amendment, which was adopted.

On motion by Rep. Ryan, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Ryan and Goldstein offered the following:

(Amendment Bar Code: 990278)

#### Profile Amendment 70—

In Section: 03 On Page: 076 Specific Appropriation: 361A  
DELETE INSERT

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Family Safety Program  
Child Protection And Permanency

361A In Section 03 On Page 076  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Child Welfare Facilities

From General Revenue Fund	100,000	0
---------------------------	---------	---

Immediately following Specific Appropriation 361A, DELETE:

From the funds in Specific Appropriation 361A, the following project is funded from non-recurring general revenue funds:

Children's Harbor Residential Treatment Facility for Dependent Children - Broward.....	100,000
---	---------

ELDER AFFAIRS, DEPARTMENT OF  
Program: Services To Elders Program  
Home And Community Services

483 In Section 03 On Page 091  
Special Categories  
Grants And Aids - Local Services Programs

From General Revenue Fund	8,362,963	8,462,963
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At the end of existing proviso language for the list of non-recurring projects, following Specific Appropriation 483, INSERT:

Renacer Seniors Program - Broward.....\$100,000

Rep. Ryan moved the adoption of the amendment, which was adopted.

On motion by Rep. Cusack, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Cusack offered the following:

(Amendment Bar Code: 990290)

#### Profile Amendment 71—

In Section: 05 On Page: 232 Specific Appropriation: 1820  
DELETE INSERT

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Water Resource Management  
Water Resource Protection And Restoration

1820 In Section 05 On Page 232  
Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Surface Water  
Improvements Projects

At the end of existing proviso language, following Specific  
Appropriation 1820, INSERT:

Palm Grove Stormwater Improvement Project Phase 4.....	100,000
--	---------

Rep. Cusack moved the adoption of the amendment, which was adopted.

On motion by Rep. Gelber, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Gelber offered the following:

(Amendment Bar Code: 990291)

#### Profile Amendment 72—

In Section: 02 On Page: 029 Specific Appropriation: 116  
DELETE INSERT

EDUCATION, DEPARTMENT OF  
Public Schools, Division Of  
Program: State Grants/K-12 Program - Non  
FEFP

116 In Section 02 On Page 029  
Special Categories  
Grants And Aids - School And  
Instructional Enhancements

From General Revenue Fund	500
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In the proviso list following Specific Appropriation 116, INSERT:

Leon Gym Bleacher Retractor Motor Replacement for Legislative Basketball Association Physical Fitness Research.....	500
--	-----

Rep. Gelber moved the adoption of the amendment, which was adopted.

On motion by Rep. Negron, the rules were waived and HB 5001 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 733

Speaker Bense in the Chair.

Yeas—116

Adams	Bense	Carroll	Galvano
Allen	Benson	Clarke	Gannon
Altman	Berfield	Coley	Garcia
Ambler	Bilirakis	Cretul	Gardiner
Anderson	Bogdanoff	Cusack	Gelber
Antone	Bowen	Davis, D.	Gibson, A.
Arza	Brandenburg	Davis, M.	Gibson, H.
Attkisson	Brown	Dean	Glorioso
Ausley	Brummer	Domino	Goldstein
Barreiro	Brutus	Evers	Goodlette
Baxley	Bucher	Farkas	Gottlieb
Bean	Bullard	Fields	Grant
Bendross-Mindingall	Cannon	Flores	Greenstein

Grimsley	Kyle	Planas	Sansom
Harrell	Legg	Poppell	Seiler
Hasner	Littlefield	Porth	Simmons
Hays	Llorente	Proctor	Slosberg
Henriquez	Lopez-Cantera	Quinones	Smith
Holloway	Machek	Reagan	Sobel
Homan	Mahon	Rice	Sorensen
Hukill	Mayfield	Richardson	Stansel
Johnson	McInvale	Rivera	Stargel
Jordan	Meadows	Robaina	Taylor
Joyner	Mealor	Roberson	Traviesa
Justice	Murzin	Ross	Troutman
Kendrick	Needelman	Rubio	Vana
Kottkamp	Negron	Russell	Waters
Kravitz	Patterson	Ryan	Williams
Kreegel	Pickens	Sands	Zapata

Nays—None

So the bill passed, as amended, and was certified to the Senate after engrossment.

**HB 5003**—A bill to be entitled An act implementing the 2006-2007 General Appropriations Act; providing legislative intent; providing for use of specified calculations with respect to the Florida Education Finance Program; amending s. 1004.065, F.S.; providing a limitation on university and direct-support organization financings; amending s. 287.057, F.S.; authorizing the Department of Children and Family Services to contract with a private provider for a sexually violent predator facility; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing transfer of certain funds between the courts and the Justice Administrative Commission to meet certain shortfalls in due process services appropriations; providing for expenditure of funds from unallocated general revenue to offset deficiencies in due process services; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 112.061, F.S.; providing for computation of travel time and reimbursement for public officers' and employees' travel; directing the Department of Environmental Protection to make specified awards of grant moneys for pollution control purposes; directing the Department of Environmental Protection to conduct a pilot program for expedited site evaluation and cleanup of port and airport facilities for redevelopment and expansion; providing guidelines for such program; creating the Caloosahatchee-St. Lucie Rivers Corridor Advisory Council; providing a definition; providing for appointment of members, per diem and travel expenses, staff, and duties of the advisory council; exempting staff from pt. II of ch. 110, F.S., relating to the Career Service System; requiring recommendations to the Legislature; requiring a report to the Legislature and Governor by a specific date; providing for expiration of the advisory council; creating the Fuel Distributors Emergency Power Assistance Grant Program within the Department of Community Affairs; amending s. 373.1961, F.S.; requiring the water management districts to fund certain alternative water supply projects; amending ss. 373.459 and 403.890, F.S.; requiring the water management districts to fund certain surface water improvement projects; amending s. 403.1838, F.S.; requiring the Department of Environmental Protection to fund certain wastewater projects; amending s. 120.551, F.S.; continuing Internet publication of certain notices of the Department of Environmental Protection and the Board of Trustees of the Internal Improvement Trust Fund; amending s. 502.015, F.S.; authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; amending s. 11.151, F.S.; increasing the contingency fund for the legislative presiding officers; amending s. 320.08058, F.S.; authorizing proceeds from the Professional

Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 253.034, F.S.; authorizing deposit of funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County; amending s. 402.3017, F.S.; authorizing the Agency for Workforce Innovation to administer Teacher Education and Compensation Helps (TEACH) scholarship program; amending s. 216.292, F.S.; authorizing the Governor to recommend fixed capital outlay projects funded by Federal Emergency Management Agency grants; providing for review by the Legislative Budget Commission; authorizing state agencies to make cash awards to state employees demonstrating satisfactory service to the agency or the state; providing limits on such awards; requiring a report with respect thereto; providing finding of best interest of the state for authorization and issuance of certain debt; providing effect of veto of specific appropriation or proviso to which implementing language refers; providing for future repeal or expiration of various provisions; providing for reversion of certain provisions; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2006-2007 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing severability; providing effective dates.

—was read the second time by title.

Representative(s) Greenstein offered the following:

(Amendment Bar Code: 425597)

**Amendment 1 (with title amendment)**—Between line(s) 673-674 insert:

Section 29. In order to implement specific appropriations for salaries and benefits in the 2006-2007 General Appropriations Act, section 220.192, Florida Statutes, is created to read:

220.192 Credits for contributions to the Term-Limited Legislators Rehabilitation Pilot Project.--

(1) PURPOSE.--The purpose of this section is to encourage private, voluntary contributions to the Term-Limited Legislators Rehabilitation Pilot Project.

(2) DEFINITIONS.--As used in this section, the term:

(a) "Term-Limited Legislators Rehabilitation Pilot Project" means a ground-breaking, trail-blazing program that shall serve a currently unserved population. The outreach gap shall be closed through intense research and location combing. Eligible participants begin with Florida the Class of 1998. Participants shall be served a complete array of mental health assistive skills, including door opening, wholesome meal preparation, historic reflective meditation, and remedial magazine and novel reading. A spousal and progeny reacquaintance track shall be established with an individualized case plan. Behavioral modification shall support silence in crowded rooms overcoming all urges of speech making. Door-to-door walking shall couple with economic development and interpersonal skills enhancement for the purveying of combs, brushes, and other personal hygiene household needs leading to the global on-ramp. Participants shall explore humility by drafting sustainable community support letters to the editor which shall never be published. Stake holders shall be assured of self-esteem as all phases of successful re-entry into the citizenry shall be encompassed in this ground-breaking, trail-blazing program. An executive director shall be designated from eligible participants. To the extent federal funds are available to augment the services in this program, all diligent efforts shall be undertaken to draw down matching funds. Any local assistance shall be coordinated in an articulation agreement.

(b) "Eligible contribution" means a monetary contribution from a taxpayer to the Term-Limited Legislators Rehabilitation Pilot Project.

(3) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS ON INDIVIDUAL AND TOTAL CREDITS.--

(a) There is allowed a credit of 100 percent of an eligible contribution against any tax due for a taxable year under this chapter.

(b) The total amount of tax credit which may be granted each state fiscal year under this section is \$1.5 million.

## (4) REPEAL.--This section expires July 1, 2007.

## ===== T I T L E A M E N D M E N T =====

Remove line(s) 80 and insert:

issuance of certain debt; creating s. 220.192, F.S.; creating the Term-Limited Legislators Rehabilitation Pilot Project; providing purpose and definitions; providing for a credit against the corporate income tax for such purpose; providing a limit on the total amount of credits that may be granted; providing for future repeal; providing effect of veto of

Rep. Greenstein moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

On motion by Rep. Negron, the rules were waived and HB 5003 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 734

Speaker Bense in the Chair.

Yeas—116

Adams	Cretul	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Johnson	Reagan
Ambler	Davis, M.	Jordan	Rice
Anderson	Dean	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Robertson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Baxley	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Bense	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Pickens	Vana
Carroll	Hays	Planas	Waters
Clarke	Henriquez	Poppell	Williams
Coley	Holloway	Porth	Zapata

Nays—None

So the bill passed and was certified to the Senate.

**HB 5005**—A bill to be entitled An act relating to education funding; amending s. 201.15, F.S.; revising the use of excise taxes on documents distributed to the Public Education Capital Outlay and Debt Service Trust Fund; amending s. 551.106, F.S.; allowing slot machine tax revenue to be made available for bond payments if necessary to comply with bond covenants; amending s. 1001.451, F.S.; authorizing regional consortium service organizations to determine the use of funds; specifying the time period for distribution of funds; amending s. 1003.03, F.S.; revising the schedule of the implementation of class size compliance at the district and school levels; amending s. 1009.535, F.S.; increasing the award for Florida Medallion Scholars enrolled in community college associate degree programs; amending s. 1011.62, F.S.; revising provisions relating to the funding computation of special programs; authorizing additional full-time equivalent membership for the Florida Virtual School; revising provisions relating to the prior year final taxable value; amending s. 1013.64, F.S.;

revising construction cost maximums for school district capital outlay projects; conforming provisions; creating s. 1013.734, F.S.; establishing the Class Size Reduction Construction Completion Program; providing for the allocation of funds; providing requirements for district participation in the program; providing for use of the funds; amending s. 1013.738, F.S.; conforming provisions; creating s. 1013.739, F.S.; establishing the Classroom Capacity Assistance Grant Program; providing for the allocation of funds; providing requirements for district participation in the program; providing for use of the funds; providing effective dates.

—was read the second time by title.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 535681)

**Amendment 1 (with title amendment)**—Between line(s) 427 and 428 insert:

Section 8. Subsections (1) and (7) of section 1013.62, Florida Statutes, are amended to read:

1013.62 Charter schools capital outlay funding.--

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools. To be eligible for a funding allocation, a charter school must:

- (a)1. Have been in operation for 3 or more years;
2. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds; or
3. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools.
- (b) Have financial stability for future operation as a charter school.
- (c) Have satisfactory student achievement based on state accountability standards applicable to the charter school.
- (d) Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.
- (e) Serve students in facilities that are not provided by the charter school's sponsor.

The first priority for charter school capital outlay funding shall be to allocate to the charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full-time equivalent student up to the lesser of the actual number of capital outlay full-time equivalent students in the current year or the capital outlay full-time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority shall be to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full-time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth in excess of the 2005-2006 capital outlay full-time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation shall be allocated to all eligible charter schools. A charter school's allocation shall not exceed one-fifteenth of the cost per student station specified in s. 1013.64(6)(b). Prior to the release of capital outlay funds to a school district on behalf of the charter school, the Department of Education shall ensure that the district school board and the charter school governing board enter into a written agreement that includes provisions for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3), in the event that the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund. A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee or at no charge or if it is directly or indirectly operated by the school district. Unless otherwise provided in the General Appropriations Act, the funding allocation for each eligible charter school shall be determined by multiplying the school's projected student enrollment by one-fifteenth of the cost-per-student station

specified in s. 1013.64(6)(b) for an elementary, middle, or high school, as appropriate. If the funds appropriated are not sufficient, the commissioner shall prorate the available funds among eligible charter schools. However, no charter school or charter lab school shall receive state charter school capital outlay funds in excess of the one-fifteenth cost per student station formula if the charter school's combination of state charter school capital outlay funds, capital outlay funds calculated through the reduction in the administrative fee provided in s. 1002.33(20), and capital outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds the one-fifteenth cost per student station formula. Funds shall be distributed on the basis of the capital outlay full-time equivalent membership by grade level, which shall be calculated by averaging the results of the second and third enrollment surveys. The Department of Education shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's actual student enrollment as reflected in the second and third enrollment surveys. The commissioner shall establish the intervals and procedures for determining the projected and actual student enrollment of eligible charter schools.

~~(7) Notwithstanding the provisions of this section, beginning in the 2003-2004 fiscal year:~~

~~(a) If the appropriation for charter school capital outlay funds is no greater than the 2002-2003 appropriation, the funds shall be allocated according to the formula outlined in subsection (1) to:~~

~~1. The same schools that received funding in 2002-2003.~~

~~2. Schools that are an expanded feeder pattern of schools that received funding in 2002-2003.~~

~~3. Schools that have an approved charter and are serving students at the start of the 2003-2004 school year and either incurred long term financial obligations prior to January 31, 2003, or began construction on educational facilities prior to December 31, 2002.~~

~~(b) If the appropriation for charter school capital outlay funds is less than the 2002-2003 appropriation, the funds shall be prorated among the schools eligible in paragraph (a).~~

~~(c) If the appropriation for charter school capital outlay funds is greater than the 2002-2003 appropriation, the amount of funds provided in the 2002-2003 appropriation shall be allocated according to paragraph (a). First priority for allocating the amount in excess of the 2002-2003 appropriation shall be to prorate the excess funds among the charter schools with long term debt or long term lease to the extent that the initial allocation is insufficient to provide one-fifteenth of the cost per student station specified in s. 1013.64(6)(b), and second priority shall be to other eligible charter schools.~~

#### ===== T I T L E A M E N D M E N T =====

Remove line(s) 20 and insert:

year final taxable value; amending s. 1013.62, F.S.; revising charter school capital outlay funding eligibility criteria and allocation of funds; amending s. 1013.64, F.S.;

Rep. Pickens moved the adoption of the amendment.

Representative(s) Stargel and Pickens offered the following:

(Amendment Bar Code: 670319)

**Amendment 1 to Amendment 1**—Remove line(s) 21-22 and insert:

(c) Have documented student learning gains for at least 75 percent of the student population as measured by the school's preassessments and postassessments in kindergarten through grade 3 or the school's annual FCAT assessments in grades 4 through 10 and have documented improvement of the lowest 25th percentile of students in the school in reading and mathematics unless these students are performing above satisfactory performance satisfactory student achievement based on state accountability standards applicable to the charter school.

Rep. Stargel moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 077355)

**Amendment 2 (with title amendment)**—Remove line(s) 444-446 and insert:

Class Size Reduction Construction Completion Program funds provided in s. 1013.734; Classrooms for Kids Infrastructure Program funds provided in s. 1013.735; or District Effort Recognition Program funds provided in s. 1013.736; High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738; or Classroom Capacity Assistance Grant Program funds provided in s. 1013.739 for any new construction of educational plant

#### ===== T I T L E A M E N D M E N T =====

Remove line(s) 22 and insert:

capital outlay projects; revising programs the funds of which must meet the construction cost maximums; conforming provisions; creating

Rep. Pickens moved the adoption of the amendment, which was adopted.

On motion by Rep. Pickens, the rules were waived and HB 5005 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 735

Speaker Bense in the Chair.

Yeas—116

Adams	Cretul	Homan	Proctor
Allen	Cusack	Hukill	Quinones
Altman	Davis, D.	Johnson	Reagan
Ambler	Davis, M.	Jordan	Rice
Anderson	Dean	Joyner	Richardson
Antone	Domino	Justice	Rivera
Arza	Evers	Kendrick	Robaina
Attkisson	Farkas	Kottkamp	Roberson
Ausley	Fields	Kravitz	Ross
Barreiro	Flores	Kreegel	Rubio
Baxley	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Bense	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Pickens	Vana
Carroll	Hays	Planas	Waters
Clarke	Henriquez	Poppell	Williams
Coley	Holloway	Porth	Zapata

Nays—None

So the bill passed, as amended, and was certified to the Senate after engrossment.

**HB 5007**—A bill to be entitled An act relating to health care; amending s. 400.23, F.S.; revising minimum staffing requirements for nursing homes; amending s. 409.904, F.S.; revising requirements relating to eligibility of certain women for family planning services; amending s. 409.905, F.S.;

revising requirements for the hospitalist program; removing a provision authorizing the Agency for Health Care Administration to seek certain waivers to implement the program; amending s. 409.906, F.S.; revising provisions relating to optional adult dental and visual services covered by Medicaid; amending s. 409.907, F.S.; revising the enrollment effective date for Medicaid providers; providing procedures for payment for certain claims for services; amending s. 409.9081, F.S.; revising the limitation on Medicaid recipient copayments for emergency room services; amending s. 409.911, F.S., relating to the hospital disproportionate share program; revising the method for calculating disproportionate share payments to hospitals; deleting obsolete provisions; amending s. 409.9113, F.S.; providing guidelines for distribution of disproportionate share funds to certain teaching hospitals; amending s. 409.9117, F.S., relating to the primary care disproportionate share program; revising the time period during which the agency shall not distribute certain moneys; amending s. 409.912, F.S., relating to cost-effective purchasing of health care; providing that adjustments for health status be considered in agency evaluations of the cost-effectiveness of Medicaid managed care plans; providing requirements for Medicaid capitation payments for managed long-term care programs and payments for Medicaid home and community-based services; amending s. 409.9122, F.S.; revising enrollment limits for Medicaid recipients who are subject to mandatory assignment to managed care plans and MediPass; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to return certain unspent funds based on a formula developed by the corporation; amending s. 430.705, F.S., relating to implementation of the long-term care community diversion pilot projects; providing requirements for Medicaid capitation payments for managed long-term care programs and payments for Medicaid home and community-based services; providing an effective date.

—was read the second time by title.

Representative(s) Pickens offered the following:

(Amendment Bar Code: 028521)

**Amendment 1**—Remove line 182 and insert:

be limited to two pairs per year per recipient, except a third pair may be provided after prior authorization.

Rep. Pickens moved the adoption of the amendment, which was adopted.

Representative(s) Brown offered the following:

(Amendment Bar Code: 317461)

**Amendment 2 (with directory and title amendments)**—Between line(s) 612 and 613, insert:

(4) The agency may contract with:

(b) An entity that is providing comprehensive behavioral health care services to certain Medicaid recipients through a capitated, prepaid arrangement pursuant to the federal waiver provided for by s. 409.905(5). Such an entity must be licensed under chapter 624, chapter 636, or chapter 641 and must possess the clinical systems and operational competence to manage risk and provide comprehensive behavioral health care to Medicaid recipients. As used in this paragraph, the term "comprehensive behavioral health care services" means covered mental health and substance abuse treatment services that are available to Medicaid recipients. The secretary of the Department of Children and Family Services shall approve provisions of procurements related to children in the department's care or custody prior to enrolling such children in a prepaid behavioral health plan. Any contract awarded under this paragraph must be competitively procured. In developing the behavioral health care prepaid plan procurement document, the agency shall ensure that the procurement document requires the contractor to develop and implement a plan to ensure compliance with s. 394.4574 related to services provided to residents of licensed assisted living facilities that hold a limited mental health license. Except as provided in subparagraph 8., and except in counties where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211, the agency shall seek federal approval

to contract with a single entity meeting these requirements to provide comprehensive behavioral health care services to all Medicaid recipients not enrolled in a Medicaid managed care plan authorized under s. 409.91211 or a Medicaid health maintenance organization in an AHCA area. In an AHCA area where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and shall be subject to this paragraph. Each entity must offer sufficient choice of providers in its network to ensure recipient access to care and the opportunity to select a provider with whom they are satisfied. The network shall include all public mental health hospitals. To ensure unimpaired access to behavioral health care services by Medicaid recipients, ~~all contracts issued pursuant to this paragraph shall require 80 percent of the capitation paid to the managed care plan, including health maintenance organizations, to be expended for the provision of behavioral health care services. In the event the managed care plan expends less than 80 percent of the capitation paid pursuant to this paragraph for the provision of behavioral health care services, the difference shall be returned to the agency. The agency shall provide the managed care plan with a certification letter indicating the amount of capitation paid during each calendar year for the provision of behavioral health care services pursuant to this section.~~ the agency may reimburse for substance abuse treatment services on a fee-for-service basis until the agency finds that adequate funds are available for capitated, prepaid arrangements.

1. By January 1, 2001, the agency shall modify the contracts with the entities providing comprehensive inpatient and outpatient mental health care services to Medicaid recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk Counties, to include substance abuse treatment services.

2. By July 1, 2003, the agency and the Department of Children and Family Services shall execute a written agreement that requires collaboration and joint development of all policy, budgets, procurement documents, contracts, and monitoring plans that have an impact on the state and Medicaid community mental health and targeted case management programs.

3. Except as provided in subparagraph 8., by July 1, 2006, the agency and the Department of Children and Family Services shall contract with managed care entities in each AHCA area except area 6 or arrange to provide comprehensive inpatient and outpatient mental health and substance abuse services through capitated prepaid arrangements to all Medicaid recipients who are eligible to participate in such plans under federal law and regulation. In AHCA areas where eligible individuals number less than 150,000, the agency shall contract with a single managed care plan to provide comprehensive behavioral health services to all recipients who are not enrolled in a Medicaid health maintenance organization or a Medicaid capitated managed care plan authorized under s. 409.91211. The agency may contract with more than one comprehensive behavioral health provider to provide care to recipients who are not enrolled in a Medicaid capitated managed care plan authorized under s. 409.91211 or a Medicaid health maintenance organization in AHCA areas where the eligible population exceeds 150,000. In an AHCA area where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and shall be subject to this paragraph. Contracts for comprehensive behavioral health providers awarded pursuant to this section shall be competitively procured. Both for-profit and not-for-profit corporations shall be eligible to compete. Managed care plans contracting with the agency under subsection (3) shall provide and receive payment for the same comprehensive behavioral health benefits as provided in AHCA rules, including handbooks incorporated by reference. In AHCA area 11, the agency shall contract with at least two comprehensive behavioral health care providers to provide behavioral health care to recipients in that area who are enrolled in, or assigned to, the MediPass program. One of the behavioral health care contracts shall be with the existing provider service network pilot project, as described in paragraph (d), for the purpose of demonstrating the cost-effectiveness of the provision of quality mental health services through a public hospital-operated managed care model. Payment shall be at an agreed-upon capitated rate to ensure cost savings. Of the recipients in area 11 who are

assigned to MediPass under the provisions of s. 409.9122(2)(k), a minimum of 50,000 of those MediPass-enrolled recipients shall be assigned to the existing provider service network in area 11 for their behavioral care.

4. By October 1, 2003, the agency and the department shall submit a plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides for the full implementation of capitated prepaid behavioral health care in all areas of the state.

a. Implementation shall begin in 2003 in those AHCA areas of the state where the agency is able to establish sufficient capitation rates.

b. If the agency determines that the proposed capitation rate in any area is insufficient to provide appropriate services, the agency may adjust the capitation rate to ensure that care will be available. The agency and the department may use existing general revenue to address any additional required match but may not over-obligate existing funds on an annualized basis.

c. Subject to any limitations provided for in the General Appropriations Act, the agency, in compliance with appropriate federal authorization, shall develop policies and procedures that allow for certification of local and state funds.

5. Children residing in a statewide inpatient psychiatric program, or in a Department of Juvenile Justice or a Department of Children and Family Services residential program approved as a Medicaid behavioral health overlay services provider shall not be included in a behavioral health care prepaid health plan or any other Medicaid managed care plan pursuant to this paragraph.

6. In converting to a prepaid system of delivery, the agency shall in its procurement document require an entity providing only comprehensive behavioral health care services to prevent the displacement of indigent care patients by enrollees in the Medicaid prepaid health plan providing behavioral health care services from facilities receiving state funding to provide indigent behavioral health care, to facilities licensed under chapter 395 which do not receive state funding for indigent behavioral health care, or reimburse the unsubsidized facility for the cost of behavioral health care provided to the displaced indigent care patient.

7. Traditional community mental health providers under contract with the Department of Children and Family Services pursuant to part IV of chapter 394, child welfare providers under contract with the Department of Children and Family Services in areas 1 and 6, and inpatient mental health providers licensed pursuant to chapter 395 must be offered an opportunity to accept or decline a contract to participate in any provider network for prepaid behavioral health services.

8. For fiscal year 2004-2005, all Medicaid eligible children, except children in areas 1 and 6, whose cases are open for child welfare services in the HomeSafeNet system, shall be enrolled in MediPass or in Medicaid fee-for-service and all their behavioral health care services including inpatient, outpatient psychiatric, community mental health, and case management shall be reimbursed on a fee-for-service basis. Beginning July 1, 2005, such children, who are open for child welfare services in the HomeSafeNet system, shall receive their behavioral health care services through a specialty prepaid plan operated by community-based lead agencies either through a single agency or formal agreements among several agencies. The specialty prepaid plan must result in savings to the state comparable to savings achieved in other Medicaid managed care and prepaid programs. Such plan must provide mechanisms to maximize state and local revenues. The specialty prepaid plan shall be developed by the agency and the Department of Children and Family Services. The agency is authorized to seek any federal waivers to implement this initiative.

#### ===== DIRECTORY AMENDMENT =====

Remove line(s) 548 and 549 and insert:

Section 10. Paragraph (b) of subsection (4) and subsection (44) of section 409.912, Florida Statutes, are amended, and subsection (53) is added to that

#### ===== TITLE AMENDMENT =====

Remove line(s) 27 and insert:

effective purchasing of health care; deleting an obsolete provision requiring a certain percentage of capitation paid to managed care plans to be expended for behavioral health services; providing that

Rep. Brown moved the adoption of the amendment, which was adopted.

Representative(s) Benson offered the following:

(Amendment Bar Code: )

**Amendment 3**—Remove line(s) 638-865 and insert:  
home and community-based services shall be actuarially equivalent to plan experience.

Section 11. Paragraphs (f) and (k) of subsection (2) of section 409.9122, Florida Statutes, are amended to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.--

(2)

(f) When a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan or MediPass provider. Medicaid recipients who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of 35 40 percent in MediPass and 65 60 percent in managed care plans, of all those eligible to choose managed care, is achieved. Once this enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a 35 40 percent and 65 60 percent proportion, respectively. Thereafter, assignment of Medicaid recipients who fail to make a choice shall be based proportionally on the preferences of recipients who have made a choice in the previous period. Such proportions shall be revised at least quarterly to reflect an update of the preferences of Medicaid recipients. The agency shall disproportionately assign Medicaid-eligible recipients who are required to but have failed to make a choice of managed care plan or MediPass, including children, and who are to be assigned to the MediPass program to children's networks as described in s. 409.912(4)(g), Children's Medical Services Network as defined in s. 391.021, exclusive provider organizations, provider service networks, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act, in such manner as the agency deems appropriate, until the agency has determined that the networks and programs have sufficient numbers to be economically operated. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes health maintenance organizations, exclusive provider organizations, provider service networks, minority physician networks, Children's Medical Services Network, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.

2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.

3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.

4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

(k) When a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan, except in those counties in which there are fewer than two managed care plans accepting Medicaid enrollees, in which case assignment shall be to a managed care plan or a MediPass provider. Medicaid recipients in counties with fewer than two managed care plans accepting

Medicaid enrollees who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of 35 40 percent in MediPass and 65 60 percent in managed care plans, of all those eligible to choose managed care, is achieved. Once that enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a 35 40 percent and 65 60 percent proportion, respectively. In service areas 1 and 6 of the Agency for Health Care Administration where the agency is contracting for the provision of comprehensive behavioral health services through a capitated prepaid arrangement, recipients who fail to make a choice shall be assigned equally to MediPass or a managed care plan. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes exclusive provider organizations, provider service networks, Children's Medical Services Network, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.
2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.
3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.
4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.
5. The agency has authority to make mandatory assignments based on quality of service and performance of managed care plans.

Section 12. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.--

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.--

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.
2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act. Each fiscal year, the corporation shall establish a local match policy for the enrollment of non-Title-XXI-eligible children in the Healthy Kids program. By May 1 of each year, the corporation shall provide written notification of the amount to be remitted to the corporation for the following fiscal year under that policy. Local match sources may include, but are not limited to, funds provided by municipalities, counties, school boards, hospitals, health care providers, charitable organizations, special taxing districts, and private organizations. The minimum local match cash contributions required each fiscal year and local match credits shall be determined by the General Appropriations Act. The corporation shall calculate a county's local match rate based upon that county's percentage of the state's total non-Title-XXI expenditures as reported in the corporation's most recently audited financial statement. In awarding the local match credits, the corporation may consider factors including, but not limited to, population density, per capita income, and existing child-health-related expenditures and services. If local match amounts collected exceed expenditures during any fiscal year, including the 2005-2006 fiscal year, the corporation shall return unspent local funds collected based on a formula developed by the corporation.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida KidCare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida Healthy Kids Corporation, the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program.

13. Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

14. Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

15. Establish benefit packages which conform to the provisions of the Florida KidCare program, as created in ss. 409.810-409.820.

Section 13. Subsection (4) of section 430.705, Florida Statutes, is amended to read:

430.705 Implementation of the long-term care community diversion pilot projects.--

(4) Pursuant to 42 C.F.R. s. 438.6(c), the agency, in consultation with the department, shall annually reevaluate and recertify the capitation rates for the diversion pilot projects. The agency, in consultation with the department, shall secure the utilization and cost data for Medicaid and Medicare beneficiaries served by the program which shall be used in developing rates for the diversion pilot projects. The capitation rates shall be risk adjusted by plan and reflect members' level of chronic illness, functional limitations, and risk of institutional placement, as determined by expenditures for a comparable fee-for-service population. Payments for Medicaid home and community-based services shall be actuarially equivalent to plan experience.

Rep. Benson moved the adoption of the amendment, which was adopted.

On motion by Rep. Bean, the rules were waived and HB 5007 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 736

Speaker Bense in the Chair.

Yeas—116

Adams	Cretul	Hukill	Proctor
Allen	Cusack	Johnson	Quinones
Altman	Davis, D.	Jordan	Reagan
Ambler	Davis, M.	Joyner	Rice
Anderson	Dean	Justice	Richardson
Antone	Domino	Kendrick	Rivera
Arza	Evers	Kottkamp	Robaina
Attkisson	Farkas	Kravitz	Roberson
Ausley	Fields	Kreegel	Ross
Barreiro	Flores	Kyle	Rubio
Baxley	Galvano	Legg	Russell
Bean	Gannon	Littlefield	Ryan
Bendross-Mindingall	Garcia	Llorente	Sands
Bense	Gardiner	Lopez-Cantera	Sansom
Benson	Gelber	Machek	Seiler
Berfield	Gibson, A.	Mahon	Simmons
Bilirakis	Gibson, H.	Mayfield	Slosberg
Bogdanoff	Glorioso	McInvale	Smith
Bowen	Goldstein	Meadows	Sobel
Brandenburg	Goodlette	Mealor	Sorensen
Brown	Gottlieb	Murzin	Stansel
Brummer	Grant	Needelman	Stargel
Brutus	Greenstein	Negron	Taylor
Bucher	Grimsley	Patterson	Traviesa
Bullard	Harrell	Peterman	Troutman
Cannon	Hasner	Pickens	Vana
Carroll	Hays	Planas	Williams
Clarke	Holloway	Poppell	Zapata
Coley	Homan	Porth	

Nays—None

Votes after roll call:

Yeas—Henriquez

So the bill passed, as amended, and was certified to the Senate after engrossment.

**HB 5009**—A bill to be entitled An act relating to substance abuse and mental health services funding; amending s. 394.457, F.S.; deleting provisions authorizing a reimbursement rate of 100 percent by the Department of Children and Family Services for certain services provided under the Baker Act; amending s. 394.908, F.S.; revising the funding allocation methodology; providing an effective date.

—was read the second time by title.

On motion by Rep. Bean, the rules were waived and HB 5009 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 737

Speaker Bense in the Chair.

Yeas—114

Adams	Ausley	Bogdanoff	Cannon
Allen	Barreiro	Bowen	Carroll
Altman	Bean	Brandenburg	Clarke
Ambler	Bendross-Mindingall	Brown	Coley
Anderson	Bense	Brummer	Cretul
Antone	Benson	Brutus	Cusack
Arza	Berfield	Bucher	Davis, D.
Attkisson	Bilirakis	Bullard	Davis, M.

Dean	Hasner	Mayfield	Rubio
Domino	Hays	McInvale	Ryan
Evers	Henriquez	Meadows	Sands
Farkas	Holloway	Mealor	Sansom
Fields	Homan	Murzin	Seiler
Flores	Hukill	Needelman	Simmons
Galvano	Johnson	Negron	Slosberg
Gannon	Jordan	Patterson	Smith
Garcia	Joyner	Pickens	Sobel
Gardiner	Justice	Planas	Sorensen
Gelber	Kendrick	Poppell	Stansel
Gibson, A.	Kottkamp	Porth	Stargel
Gibson, H.	Kravitz	Proctor	Taylor
Glorioso	Kreegel	Quinones	Traviesa
Goldstein	Kyle	Reagan	Troutman
Goodlette	Legg	Rice	Vana
Gottlieb	Littlefield	Richardson	Waters
Grant	Llorente	Rivera	Williams
Greenstein	Lopez-Cantera	Robaina	Zapata
Grimsley	Machek	Roberson	
Harrell	Mahon	Ross	

Nays—None

Votes after roll call:

Yeas—Russell

So the bill passed and was certified to the Senate.

**HB 5011**—A bill to be entitled An act relating to foster care and related services; amending s. 409.1671, F.S.; requiring the Department of Children and Family Services to develop a statewide plan for outsourcing foster care and related services; removing certain plan requirements; removing an obsolete date; authorizing the expenditure of certain funds; removing a requirement to issue certain loans; removing certain provisions relative to the sources of future funding; making conforming changes; removing authority of the Florida Coalition for Children, Inc., or its subcontractors to manage certain risk pool funds; authorizing the department to issue an interest-free loan to the Florida Coalition for Children, Inc., to establish a self-insurance program based on certain appropriations; providing an effective date.

—was read the second time by title.

Representative(s) Barreiro offered the following:

(Amendment Bar Code: 092971)

**Amendment 1 (with title amendment)**—Remove line 131 and insert:

Section 2. Effective upon this act becoming a law:

(1) A 3-year pilot program is established for the community-based care lead agencies serving Miami-Dade, Monroe, and Broward Counties. This pilot program shall allow for the transfer of the current lead agency oversight responsibilities of the Department of Children and Family Services to independent agents and for funding the program through a grant that enhances funding flexibility. The pilot program shall expand the responsibilities and services provided by these lead agencies.

(2) The Department of Children and Family Services shall enter into a 3-year contract with the designated community-based care lead agency serving Miami-Dade and Monroe Counties and with the designated community-based care lead agency serving Broward County, which have been established in accordance with s. 409.1671, Florida Statutes. The contracts must be fixed-payment contracts funded in 36 equal monthly installments. The first 2 months shall be paid in advance, and the contract must contain the elements outlined in this section. The initial 2-month advance payment is due July 10, 2006. The contracts shall be funded by general revenue through a grant and by federal Title IV-E funding and other federal funding sources. The amount of federal Title IV-E funding allocated in each year of the 3-year pilot program shall be equal to the amount earned by each of the lead agencies during the 2005-2006 fiscal year. The state shall be held harmless for any shortfall caused by the lead agencies' inability to earn the allocated Title IV-E funding, and

each lead agency's contract shall be increased in accordance with any federal overearnings. Funding in excess of the contracted amounts for the lead agencies shall be available only in the event of additional specific legislative appropriations for services provided under s. 409.1671, Florida Statutes; an increase in the population of children served that exceeds 3 percent of the population of children served on June 15, 2005, by either lead agency; or unforeseen catastrophic events as determined by the Governor and funded by the Legislature. The lead agencies shall annually provide certified audited financial statements to the Governor, the Department of Children and Family Services, and the appropriations committees of the Legislature. All other required fiscal reporting shall be determined by the independent fiscal monitors selected by the parties. For purposes of this section, the term "parties" means the two lead agencies implementing this pilot program and the Department of Children and Family Services. In order to facilitate and expedite the execution of this section, the parties shall engage an independent arbitrator for purposes of dispute resolution, including any disputes related to the form and substance of the contract to execute the pilot program, with an award of fees and costs to the prevailing party. The arbitrator's role shall be limited to selecting which party's position is more reasonable.

(3) Contract management, fiscal oversight, and programmatic oversight shall be conducted by independent, nongovernmental third-party entities under contract to the department and shall be conducted in a manner jointly agreed to by the lead agencies and the department. The cost of contracting with these independent entities shall be funded by the department. Notwithstanding any other provision to the contrary, the pilot program may not be implemented until the parties have agreed to the selection of these entities and the manner in which they are to carry out their responsibilities. Such agreement must be reached by the parties no later than July 1, 2006. The selection of the entities for purposes of compliance with this subsection shall be exempt from the provisions of s. 287.057, Florida Statutes. Fiscal oversight shall be conducted in a manner similar to the model used by the department during the 2005-2006 fiscal year in Miami-Dade and Monroe Counties. In order to be able to compare the performance of the pilot program's lead agencies with that of other lead agencies, the programmatic performance of the pilot program's lead agencies shall be measured and monitored by outcome measures contained in their contracts with the department that are in effect on the effective date of this section. The independent entities shall submit their reports directly to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(4) The department and the lead agencies implementing the pilot program shall develop an implementation plan with the Agency for Health Care Administration regarding the pending Medicaid mental health reform for the purpose of implementing a local reform model that allows for the integration of services in the current systems of care.

(5) The annual evaluation required by s. 409.1671(4)(a), Florida Statutes, shall include an evaluation of the pilot program described in this act that compares performance and fiscal management of the community-based care lead agencies in the pilot program to those that are not in the pilot program. In addition, the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General shall jointly complete an evaluation of the pilot program and provide an interim report to the President of the Senate and the Speaker of the House of Representatives no later than February 1, 2008, and a final report no later than February 1, 2009.

Section 3. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2006.

#### ===== T I T L E A M E N D M E N T =====

Remove line 16 and insert:

establishing a 3-year pilot program in Miami-Dade, Monroe, and Broward Counties; providing for the transfer of certain responsibilities from the Department of Children and Family Services to specified community-based care lead agencies; providing for funding the pilot program from grants and federal funds; requiring that the department enter into fixed-payment contracts; requiring that annual financial statements regarding the pilot program be provided to the Governor, the department, and the Legislature; requiring that an independent arbitrator resolve certain disputes related to contracts; requiring that contract management and oversight be conducted by

third-party entities; providing an exemption from s. 287.057, F.S.; requiring such entities to submit reports to the Governor and the Legislature; requiring that the department, the lead agencies implementing the pilot program, and the Agency for Health Care Administration develop a plan for integrating certain Medicaid mental health services; specifying that the annual evaluation required in s. 409.1671, F.S., include an evaluation of the pilot program; directing the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General to complete an evaluation of the pilot program and to report to the Legislature; providing effective dates.

Rep. Barreiro moved the adoption of the amendment, which was adopted.

On motion by Rep. Bean, the rules were waived and HB 5011 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 738

Speaker Bense in the Chair.

Yeas—114

Adams	Cusack	Johnson	Reagan
Allen	Davis, D.	Jordan	Rice
Altman	Davis, M.	Joyner	Richardson
Ambler	Dean	Justice	Rivera
Anderson	Domino	Kendrick	Robaina
Antone	Farkas	Kottkamp	Roberson
Arza	Fields	Kravitz	Ross
Attkisson	Flores	Kreegel	Rubio
Ausley	Galvano	Kyle	Russell
Barreiro	Gannon	Legg	Ryan
Bean	Garcia	Littlefield	Sands
Bendross-Mindingall	Gardiner	Llorente	Sansom
Bense	Gelber	Lopez-Cantera	Seiler
Benson	Gibson, A.	Machek	Simmons
Berfield	Gibson, H.	Mahon	Slosberg
Bilirakis	Glorioso	Mayfield	Smith
Bogdanoff	Goldstein	McInvale	Sobel
Bowen	Goodlette	Meadows	Sorensen
Brandenburg	Gottlieb	Mealor	Stansel
Brown	Grant	Murzin	Stargel
Brummer	Greenstein	Needelman	Taylor
Brutus	Grimsley	Negron	Traviesa
Bucher	Harrell	Patterson	Troutman
Bullard	Hasner	Pickens	Vana
Cannon	Hays	Planas	Waters
Carroll	Henriquez	Poppell	Williams
Clarke	Holloway	Porth	Zapata
Coley	Homan	Proctor	
Cretul	Hukill	Quinones	

Nays—None

Votes after roll call:

Yeas—Evers

So the bill passed, as amended, and was certified to the Senate.

**HB 5013**—A bill to be entitled An act relating to client services fee collections; amending s. 402.33, F.S.; eliminating certain authority of the Department of Children and Family Services and the Department of Health to use fee collections in excess of fee-supported appropriations for certain purposes; providing an effective date.

—was read the second time by title. On motion by Rep. Bean, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 739

Speaker Bense in the Chair.

Yeas—115

Adams	Cusack	Hukill	Quinones
Allen	Davis, D.	Johnson	Reagan
Altman	Davis, M.	Jordan	Rice
Ambler	Dean	Joyner	Richardson
Anderson	Domino	Justice	Rivera
Antone	Evers	Kendrick	Robaina
Arza	Farkas	Kottkamp	Roberson
Attkisson	Fields	Kravitz	Ross
Ausley	Flores	Kreegel	Rubio
Barreiro	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Bense	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Pickens	Vana
Carroll	Hays	Planas	Waters
Clarke	Henriquez	Poppell	Williams
Coley	Holloway	Porth	Zapata
Cretul	Homan	Proctor	

Nays—None

So the bill passed and was certified to the Senate.

**HB 5015**—A bill to be entitled An act relating to social services; amending s. 393.0661, F.S.; deleting provisions requiring the Agency for Health Care Administration to make certain adjustments with respect to home and community-based services; requiring that the Agency for Persons with Disabilities report to the Governor and Legislature the financial status of home and community-based services provided under a federally approved waiver; requiring that the agency adjust the rates for such services in order to remain within the amount appropriated; amending s. 440.02, F.S.; deleting provisions providing for the expiration of an exemption from coverage under workers' compensation law for certain clients enrolled in the Medicaid program who are served by Adult Day Training Services; providing an effective date.

—was read the second time by title. On motion by Rep. Bean, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 740

Speaker Bense in the Chair.

Yeas—114

Adams	Bendross-Mindingall	Bullard	Evers
Allen	Bense	Cannon	Farkas
Altman	Benson	Carroll	Fields
Ambler	Berfield	Clarke	Flores
Anderson	Bilirakis	Coley	Galvano
Antone	Bogdanoff	Cretul	Gannon
Arza	Bowen	Cusack	Garcia
Attkisson	Brandenburg	Davis, D.	Gardiner
Ausley	Brown	Davis, M.	Gelber
Barreiro	Brummer	Dean	Gibson, A.
Bean	Brutus	Domino	Gibson, H.

Glorioso	Kendrick	Patterson	Sansom
Goldstein	Kottkamp	Pickens	Seiler
Goodlette	Kravitz	Planas	Simmons
Gottlieb	Kreegel	Poppell	Slosberg
Grant	Kyle	Porth	Smith
Greenstein	Legg	Proctor	Sobel
Grimsley	Littlefield	Quinones	Sorensen
Harrell	Llorente	Reagan	Stansel
Hasner	Lopez-Cantera	Rice	Stargel
Hays	Machek	Richardson	Taylor
Henriquez	Mahon	Rivera	Traviesa
Holloway	Mayfield	Robaina	Troutman
Homan	McInvale	Roberson	Vana
Hukill	Meadows	Ross	Waters
Johnson	Mealor	Rubio	Williams
Jordan	Murzin	Russell	Zapata
Joyner	Needelman	Ryan	
Justice	Negron	Sands	

Nays—1

Bucher

So the bill passed and was certified to the Senate.

**HB 5017**—A bill to be entitled An act relating to corrections; amending s. 20.315, F.S.; abolishing the Florida Corrections Commission; conforms cross-references; amending s. 784.078, F.S.; conforming a cross-reference; amending s. 921.187, F.S.; deleting a provision authorizing probation and restitution centers as a sentencing option; amending s. 944.026, F.S.; deleting the Department of Corrections' responsibilities and authority regarding probation and restitution centers; deleting the department's responsibilities and authority regarding pretrial intervention; amending s. 944.8041, F.S.; requiring the Department of Corrections, in lieu of the commission, to submit an annual report on certain elderly offenders; amending s. 945.025, F.S.; revising the jurisdiction of the Department of Corrections; repealing s. 947.01, F.S., relating to the creation of the Parole Commission; repealing s. 947.022, F.S., relating to terms of members of the Parole Commission; amending s. 948.03, F.S.; deleting a provision authorizing probation and restitution centers as an option for incarceration as a condition of probation; amending s. 948.035, F.S.; deleting a provision authorizing probation and restitution centers as an option for court-ordered residential treatment; amending s. 948.08, F.S.; authorizing counties to supervise pretrial intervention offenders; authorizing counties to contract for certain services and facilities; amending s. 948.09, F.S.; removing supervision costs payment requirement for pretrial intervention; conforms cross-references; amending s. 948.101, F.S.; deleting a provision authorizing probation and restitution centers as an option for incarceration as a condition of community control; amending s. 948.51, F.S.; deleting the authority of the department to contract with a county for probation and restitution centers; amending s. 951.231, F.S.; deleting the authority of the department to contract to house county prisoners and revising the conditions for a local government to provide county residential probation facilities; amending s. 957.04, F.S.; requiring the Department of Management Services, in lieu of the commission, to consider proposed waivers of rules, policies, and procedures of the Department of Corrections for contractors of private correctional facilities; providing that contracts for private correctional facilities may be for an extended period under certain circumstances; providing notification requirements if a decision is made to enter into a contract for an extended period; amending s. 957.07, F.S.; revising the membership of the Prison Per-Diem Workgroup; revising meeting requirements of the workgroup; revising information to be included in the consensus per diem rates developed by the workgroup; revising use of the per diem rates developed by the workgroup; eliminating a provision that s. 957.07(5), F.S., supersedes certain proviso language in the Conference Report on CS for SB 2-C, ch. 2001-367, Laws of Florida; amending s. 958.04, F.S.; deleting a provision authorizing probation and restitution centers as an option for judicial disposition for incarceration of youthful offenders as a condition of probation or community control; amending ss. 20.32, 23.21, 112.011, 186.005, 255.502, 322.16, 394.926, 394.927, 775.089, 775.16, 784.07, 784.078, 843.01, 843.02, 843.08, 893.11, 921.001, 921.16, 921.20, 921.21,

921.22, 940.03, 940.05, 941.23, 943.0311, 943.06, 944.012, 944.02, 944.024, 944.23, 944.291, 944.4731, 945.091, 945.10, 945.47, 945.73, 947.002, 947.005, 947.02, 947.021, 947.1405, 947.141, 947.146, 947.181, 947.185, 947.22, 948.10, 949.05, 957.06, 958.045, 960.001, 960.17, 985.04, and 985.05, F.S.; abolishing the Parole Commission; providing for the creation of regional parole boards; providing for membership, powers, and duties of such boards; providing for assignment of inmates to boards; conforming provisions; transferring support for the Governor and Cabinet acting in their capacity as the Executive Board of Clemency from the Parole Commission to the Executive Office of the Governor; providing a directive to the Division of Statutory Revision; providing effective dates.

—was read the second time by title.

Representatives Richardson and Joyner offered the following:

(Amendment Bar Code: 120399)

**Amendment 1 (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 921.187, Florida Statutes, is amended to read:

921.187 Disposition and sentencing; alternatives; restitution.--

(1) The alternatives provided in this section for the disposition of criminal cases shall be used in a manner that will best serve the needs of society, punish criminal offenders, and provide the opportunity for rehabilitation.

(a) If the offender does not receive a state prison sentence, the court may:

1. Impose a split sentence whereby the offender is to be placed on probation upon completion of any specified period of such sentence, which period may include a term of years or less.

2. Make any other disposition that is authorized by law.

3. Place the offender on probation with or without an adjudication of guilt pursuant to s. 948.01.

4. Impose a fine and probation pursuant to s. 948.011 when the offense is punishable by both a fine and imprisonment and probation is authorized.

5. Place the offender into community control requiring intensive supervision and surveillance pursuant to chapter 948.

6. Impose, as a condition of probation or community control, a period of treatment which shall be restricted to a county facility, ~~a Department of Corrections probation and restitution center~~, a probation program drug punishment treatment community, or a community residential or nonresidential facility, excluding a community correctional center as defined in s. 944.026, which is owned and operated by any qualified public or private entity providing such services. Before admission to such a facility, the court shall obtain an individual assessment and recommendations on the appropriate treatment needs, which shall be considered by the court in ordering such placements. Placement in such a facility, except for a county residential probation facility, may not exceed 364 days. Placement in a county residential probation facility may not exceed 3 years. Early termination of placement may be recommended to the court, when appropriate, by the center supervisor, the supervising probation officer, or the probation program manager.

7. Sentence the offender pursuant to s. 922.051 to imprisonment in a county jail when a statute directs imprisonment in a state prison, if the offender's cumulative sentence, whether from the same circuit or from separate circuits, is not more than 364 days.

8. Sentence the offender who is to be punished by imprisonment in a county jail to a jail in another county if there is no jail within the county suitable for such prisoner pursuant to s. 950.01.

9. Require the offender to participate in a work-release or educational or technical training program pursuant to s. 951.24 while serving a sentence in a county jail, if such a program is available.

10. Require the offender to perform a specified public service pursuant to s. 775.091.

11. Require the offender who violates chapter 893 or violates any law while under the influence of a controlled substance or alcohol to participate in a substance abuse program.

12.a. Require the offender who violates any criminal provision of chapter 893 to pay an additional assessment in an amount up to the amount of any fine imposed, pursuant to ss. 938.21 and 938.23.

b. Require the offender who violates any provision of s. 893.13 to pay an additional assessment in an amount of \$100, pursuant to ss. 938.25 and 943.361.

13. Impose a split sentence whereby the offender is to be placed in a county jail or county work camp upon the completion of any specified term of community supervision.

14. Impose split probation whereby upon satisfactory completion of half the term of probation, the Department of Corrections may place the offender on administrative probation pursuant to s. 948.013 for the remainder of the term of supervision.

15. Require residence in a ~~state probation and restitution center~~ or private drug treatment program for offenders on community control or offenders who have violated conditions of probation.

16. Impose any other sanction which is provided within the community and approved as an intermediate sanction by the county public safety coordinating council as described in s. 951.26.

17. Impose, as a condition of community control, probation, or probation following incarceration, a requirement that an offender who has not obtained a high school diploma or high school equivalency diploma or who lacks basic or functional literacy skills, upon acceptance by an adult education program, make a good faith effort toward completion of such basic or functional literacy skills or high school equivalency diploma, as defined in s. 1003.435, in accordance with the assessed adult general education needs of the individual offender.

(b)1. Notwithstanding any provision of former s. 921.001 or s. 921.002 to the contrary, on or after October 1, 1993, the court may require any defendant who violates s. 893.13(1)(a)1., (1)(c)2., (1)(d)2., (2)(a)1., or (5)(a), and meets the criteria described in s. 893.13(10), to successfully complete a term of probation pursuant to the terms and conditions set forth in s. 948.034(1), in lieu of serving a term of imprisonment.

2. Notwithstanding any provision of former s. 921.001 or s. 921.002 to the contrary, on or after October 1, 1993, the court may require any defendant who violates s. 893.13(1)(a)2., (2)(a)2., (5)(b), or (6)(a), and meets the criteria described in s. 893.13(11), to successfully complete a term of probation pursuant to the terms and conditions set forth in s. 948.034(2), in lieu of serving a term of imprisonment.

Section 2. Paragraph (c) of subsection (1) and subsections (2) and (3) of section 944.026, Florida Statutes, are amended to read:

944.026 Community-based facilities and programs.--

(1) In addition to those facilities and services described elsewhere in this chapter, the department shall develop, provide, or contract for a statewide system of community-based facilities, services, and programs dealing with the rehabilitation of offenders, which shall include, but not be limited to:

~~(e) A system of probation and restitution centers throughout the state whereby probationers, drug offender probationers, and community controllees who have violated their terms or conditions, and whose presumptive sentence exceeds 22 months, may be required to reside while working, receiving treatment, or attending school, or for persons on probation, drug offender probation, or community control who may be required to attend outpatient substance abuse counseling and whereby inmates may be placed who are nearing their date of release from a correctional institution or a community correctional center, who are in need of placement in a substance abuse transition housing program, and who are considered eligible for such placement by the department. The purpose of these facilities and services is to provide the court with an alternative to committing offenders to more secure state correctional institutions and to assist in the supervision of probationers, drug offender probationers, and community controllees and to provide the department transitional housing beds to assist inmates released into the community.~~

(2) Notwithstanding any other law, the department shall ensure that at least 400 of its contracted beds in nonsecure community-based residential

substance abuse treatment facilities authorized under subparagraph (1)(b)1. ~~or probation and restitution centers authorized under paragraph (1)(e)~~ are designated for transition assistance for inmates who are nearing their date of release from a correctional institution or a community correctional center. These designated beds shall be provided by private organizations that do not have a faith component and that are under contract with the department. In making placement decisions, the department and the contract providers shall give priority consideration to those inmates who are nearing their date of release and who are to be placed in some form of postrelease community supervision. However, if an inmate whose sentence expires upon his or her release from a correctional institution or a community correction center and for whom community supervision is not required demonstrates the need for or interest in and suitability for transition-housing assistance, as determined by the department, the inmate is eligible to be considered for placement in transition housing. A right to substance abuse program services is not stated, intended, or otherwise implied by this subsection.

(3)(a) The department shall develop and implement procedures to diagnose offenders prior to sentencing, for the purpose of recommending to the sentencing court suitable candidates for placement in a community-based residential drug treatment facility ~~or probation and restitution center~~ as provided in this section. The department shall also develop and implement procedures to properly identify inmates prior to release who demonstrate the need for or interest in and suitability for placement in a community-based substance abuse transition housing program as provided in this section and pursuant to ss. 944.4731 and 944.704.

~~(b) Pretrial intervention programs in appropriate counties to provide early counseling and supervision services to specified offenders as provided in s. 948.08.~~

Section 3. Section 944.8041, Florida Statutes, is amended to read:

944.8041 Elderly offenders; annual review.--For the purpose of providing information to the Legislature on elderly offenders within the correctional system, the ~~department~~ Florida Corrections Commission and the Correctional Medical Authority shall each submit annually a report on the status and treatment of elderly offenders in the state-administered and private state correctional systems, as well as such information on the River Junction Correctional Institution. In order to adequately prepare the reports, the Department of Corrections and the Department of Management Services shall grant access to ~~the Florida Corrections Commission and the~~ Correctional Medical Authority which includes access to the facilities, offenders, and any information the agencies require to complete their reports. The review shall also include an examination of promising geriatric policies, practices, and programs currently implemented in other correctional systems within the United States. The reports, with specific findings and recommendations for implementation, shall be submitted to the President of the Senate and the Speaker of the House of Representatives on or before December 31 of each year.

Section 4. Paragraphs (d), (e), and (f) of subsection (1) of section 945.025, Florida Statutes, are amended to read:

945.025 Jurisdiction of department.--

(1) The Department of Corrections shall have supervisory and protective care, custody, and control of the inmates, buildings, grounds, property, and all other matters pertaining to the following facilities and programs for the imprisonment, correction, and rehabilitation of adult offenders:

(d) ~~Department of Corrections Probation and Restitution Center;~~

~~(e)~~ Department of Corrections community correctional centers; and

~~(e)(f)~~ Department of Corrections vocational centers.

Section 5. Subsection (2) of section 948.03, Florida Statutes, is amended to read:

948.03 Terms and conditions of probation.--

(2) The enumeration of specific kinds of terms and conditions shall not prevent the court from adding thereto such other or others as it considers proper. However, the sentencing court may only impose a condition of supervision allowing an offender convicted of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, to reside in another state, if the order stipulates that it is contingent upon the approval of the receiving state interstate compact authority. The court may rescind or modify at any time the terms and conditions theretofore imposed by it upon the probationer. However, if the

court withholds adjudication of guilt or imposes a period of incarceration as a condition of probation, the period shall not exceed 364 days, and incarceration shall be restricted to either a county facility, ~~a probation and restitution center under the jurisdiction of the Department of Corrections,~~ a probation program drug punishment phase I secure residential treatment institution, or a community residential facility owned or operated by any entity providing such services.

Section 6. Subsection (1) of section 948.035, Florida Statutes, is amended to read:

948.035 Residential treatment as a condition of probation or community control.--

(1) If the court imposes a period of residential treatment or incarceration as a condition of probation or community control, the residential treatment or incarceration shall be restricted to the following facilities:

(a) ~~A Department of Corrections probation and restitution center;~~

~~(b)~~ A probation program drug punishment treatment community;

~~(b)(c)~~ A community residential facility which is owned and operated by any public or private entity, excluding a community correctional center as defined in s. 944.026; or

~~(c)(d)~~ A county-owned facility.

Section 7. Subsections (1) and (8) of section 948.08, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

948.08 Pretrial intervention program.--

(1) At its discretion, each county may operate and ~~The department shall~~ supervise pretrial intervention programs for persons charged with a crime, before or after any information has been filed or an indictment has been returned in the circuit court. Such programs shall provide appropriate counseling, education, supervision, and medical and psychological treatment as available and when appropriate for the persons released to such programs. Effective July 1, 2007, the department shall no longer be responsible for the supervision of pretrial intervention programs, including the supervision of offenders in pretrial intervention programs.

(8) ~~The county department~~ may contract for the services and facilities necessary to operate pretrial intervention programs.

(9) The Department of Corrections shall no longer supervise offenders under pretrial intervention supervision effective July 1, 2007, but the county may supervise such offenders if the county elects to continue a pretrial supervision program or may be referred to the State Attorney's Office for further consideration.

Section 8. Subsection (2) of section 948.101, Florida Statutes, is amended to read:

948.101 Terms and conditions of community control and criminal quarantine community control.--

(2) The enumeration of specific kinds of terms and conditions does not prevent the court from adding thereto any other terms or conditions that the court considers proper. However, the sentencing court may only impose a condition of supervision allowing an offender convicted of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 to reside in another state if the order stipulates that it is contingent upon the approval of the receiving state interstate compact authority. The court may rescind or modify at any time the terms and conditions theretofore imposed by it upon the offender in community control. However, if the court withholds adjudication of guilt or imposes a period of incarceration as a condition of community control, the period may not exceed 364 days, and incarceration shall be restricted to a county facility, ~~a probation and restitution center under the jurisdiction of the Department of Corrections,~~ a probation program drug punishment phase I secure residential treatment institution, or a community residential facility owned or operated by any entity providing such services.

Section 9. Paragraph (b) of subsection (4) of section 948.51, Florida Statutes, is amended to read:

948.51 Community corrections assistance to counties or county consortiums.--

(4) PURPOSES OF COMMUNITY CORRECTIONS FUNDS.--

(b) Programs, services, and facilities that may be funded under this section include, but are not limited to:

1. Programs providing pretrial services.

2. Specialized divisions within the circuit or county court established for the purpose of hearing specific types of cases, such as drug cases or domestic violence cases.

3. Work camps.

4. Programs providing intensive probation supervision.

5. Military-style boot camps.

6. Work-release facilities.

7. Centers to which offenders report during the day.

8. ~~Restitution centers.~~

9. Inpatient or outpatient programs for substance abuse treatment and counseling.

~~9.40. Vocational and educational programs.~~

Section 10. Subsections (3), (4), and (5) of section 951.231, Florida Statutes, are amended to read:

951.231 County residential probation program.--

(3) ~~A local government having an existing Department of Corrections probation and restitution center within its boundaries with current available capacity may contract with the Department of Corrections to house prisoners sentenced in accordance with s. 921.18.~~

(4) A local government having an existing Department of Corrections probation and restitution center within its boundaries without current available capacity, or a local government not having an existing Department of Corrections probation and restitution center within its boundaries, may provide facilities either through construction, purchase, or lease of new facilities or purchase, renovation, or lease of existing facilities.

~~(4)(5)~~ Local governments participating in this program may apply to the Department of Corrections for funding. The department shall allocate the funding for this program to the extent authorized in the General Appropriations Act.

Section 11. Paragraph (e) of subsection (1) of section 957.04, Florida Statutes, is amended to read:

957.04 Contract requirements.--

(1) A contract entered into under this chapter for the operation of private correctional facilities shall maximize the cost savings of such facilities and shall:

(e) Establish operations standards for correctional facilities subject to the contract. However, if the department and the contractor disagree with an operations standard, the contractor may propose to waive any rule, policy, or procedure of the department related to the operations standards of correctional facilities which is inconsistent with the mission of the contractor to establish cost-effective, privately operated correctional facilities. The Department of Management Services ~~Florida Corrections Commission~~ shall be responsible for considering all proposals from the contractor to waive any rule, policy, or procedure and shall render a final decision granting or denying such request.

Section 12. Subsection (5) of section 957.07, Florida Statutes, is amended to read:

957.07 Cost-saving requirements.--

(5) (a) At the request of the Speaker of the House of Representatives or the President of the Senate By February 1 each year, the Prison Per-Diem Workgroup shall develop consensus per diem rates for use by the Legislature to be used when determining per diem rates of privately operated prisons. The Office of Program Policy Analysis and Government Accountability, ~~the Office of the Auditor General~~, and the staffs of the appropriations committees of both the Senate and the House of Representatives are the principals of the workgroup. The workgroup may consult with other experts to assist in the development of the consensus per diem rates. All meetings of the workgroup shall be open to the public as provided in chapter 286.

(b) When developing the consensus per diem rates, the workgroup must:

1. Use data provided by the Department of Corrections from the most recent fiscal year to determine per diem costs for the following activities:

- a. Custody and control;
- b. Health services;
- c. Substance abuse programs; and
- d. Educational programs;

2. Include the cost of departmental, regional, institutional, and program administration and any other fixed costs of the department;

3. Calculate average per diem rates for the following offender populations: adult male, youthful offender male, and female; and

4. Make per diem adjustments, as appropriate, to account for variations in size and location of correctional facilities.

(c) ~~It is the intent of the Legislature that~~ The consensus per diem rates determined by the workgroup may shall be used to assist the Legislature in determining determine the level of funding provided to privately operated prisons to meet the, which must reflect at least a 7-percent savings required of private prisons by this chapter when compared to the Department of Corrections.

(d) If a private vendor chooses not to renew the contract at the appropriated level, the Department of Management Services shall terminate the contract as provided in s. 957.14.

~~(e) This subsection supersedes the proviso language immediately following Specific Appropriation 570 in the Conference Report on CS for SB 2-C.~~

Section 13. Paragraphs (b) and (c) of subsection (2) of section 958.04, Florida Statutes, are amended to read:

958.04 Judicial disposition of youthful offenders.--

(2) In lieu of other criminal penalties authorized by law and notwithstanding any imposition of consecutive sentences, the court shall dispose of the criminal case as follows:

(b) The court may impose a period of incarceration as a condition of probation or community control, which period of incarceration shall be served in either a county facility, ~~a department probation and restitution center,~~ or a community residential facility which is owned and operated by any public or private entity providing such services. No youthful offender may be required to serve a period of incarceration in a community correctional center as defined in s. 944.026. Admission to a department facility ~~or center~~ shall be contingent upon the availability of bed space and shall take into account the purpose and function of such facility ~~or center~~. Placement in such a facility ~~or center~~ shall not exceed 364 days.

(c) The court may impose a split sentence whereby the youthful offender is to be placed on probation or community control upon completion of any specified period of incarceration; however, if the incarceration period is to be served in a department facility ~~other than a probation and restitution center or~~ community residential facility, such period shall be for not less than 1 year or more than 4 years. The period of probation or community control shall commence immediately upon the release of the youthful offender from incarceration. The period of incarceration imposed or served and the period of probation or community control, when added together, shall not exceed 6 years.

Section 14. This act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to corrections; amending s. 921.187, F.S.; deleting a provision authorizing probation and restitution centers as a sentencing option; amending s. 944.026, F.S.; deleting the Department of Corrections' responsibilities and authority regarding probation and restitution centers; deleting the department's responsibilities and authority regarding pretrial intervention; amending s. 944.8041, F.S.; requiring the Department of Corrections, in lieu of the commission, to submit an annual report on certain elderly offenders; amending s. 945.025, F.S.; revising the jurisdiction of the Department of Corrections; amending s. 948.03, F.S.; deleting a provision authorizing probation and restitution centers as an option for incarceration as a condition of probation; amending s. 948.035, F.S.; deleting a provision authorizing probation and restitution centers as an option for court-ordered residential treatment; amending s. 948.08, F.S.; authorizing counties to supervise pretrial intervention offenders; authorizing counties to contract for certain services and facilities; amending s. 948.101, F.S.; deleting a provision authorizing probation and restitution centers as an option for incarceration as a condition of community control; amending s. 948.51, F.S.; deleting the authority of the department to contract with a county for probation and restitution centers; amending s. 951.231, F.S.; deleting the authority of the department to contract to house county prisoners and revising the conditions for a local government to provide county residential probation facilities; amending s.

957.04, F.S.; requiring the Department of Management Services, in lieu of the commission, to consider proposed waivers of rules, policies, and procedures of the Department of Corrections for contractors of private correctional facilities; amending s. 957.07, F.S.; revising the membership of the Prison Per-Diem Workgroup; revising meeting requirements of the workgroup; revising information to be included in the consensus per diem rates developed by the workgroup; revising use of the per diem rates developed by the workgroup; eliminating a provision that s. 957.07(5), F.S., supersedes certain proviso language in the Conference Report on CS for SB 2-C, ch. 2001-367, Laws of Florida; amending s. 958.04, F.S.; deleting a provision authorizing probation and restitution centers as an option for judicial disposition for incarceration of youthful offenders as a condition of probation or community control; providing an effective date.

Rep. Richardson moved the adoption of the amendment, which failed of adoption.

On motion by Rep. Barreiro, the rules were waived and HB 5017 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 741

Speaker Bense in the Chair.

Yeas—85

Adams	Cretul	Johnson	Proctor
Allen	Davis, D.	Jordan	Quinones
Altman	Davis, M.	Kendrick	Reagan
Ambler	Dean	Kottkamp	Rice
Anderson	Domino	Kravitz	Rivera
Arza	Evers	Kreegel	Robaina
Attkisson	Farkas	Kyle	Ross
Ausley	Flores	Legg	Rubio
Barreiro	Galvano	Littlefield	Russell
Bean	Garcia	Llorente	Sansom
Bense	Gardiner	Lopez-Cantera	Simmons
Benson	Gibson, H.	Mahon	Sorensen
Berfield	Glorioso	Mayfield	Stansel
Bilirakis	Goldstein	McInvale	Stargel
Bogdanoff	Goodlette	Mealor	Traviesa
Bowen	Grant	Murzin	Troutman
Brown	Grimsley	Needelman	Waters
Brummer	Harrell	Negron	Williams
Cannon	Hasner	Patterson	Zapata
Carroll	Hays	Pickens	
Clarke	Homan	Planas	
Coley	Hukill	Poppell	

Nays—30

Antone	Gannon	Justice	Seiler
Bendross-Mindingall	Gelber	Machek	Slosberg
Brandenburg	Gibson, A.	Meadows	Smith
Brutus	Gottlieb	Porth	Sobel
Bucher	Greenstein	Richardson	Taylor
Bullard	Henriquez	Roberson	Vana
Cusack	Holloway	Ryan	
Fields	Joyner	Sands	

Votes after roll call:

Yeas to Nays—Ausley

So the bill passed and was certified to the Senate.

**HB 5019**—A bill to be entitled An act relating to juvenile justice; amending s. 985.207, F.S.; permitting a law enforcement officer to take a child into custody for a violation of adjudication order conditions; amending s. 985.215, F.S.; permitting specified types of postadjudication detention for a child who has previously failed to appear at delinquency court proceedings regardless of risk assessment instrument results; providing exceptions that permit postadjudication detention until the child's disposition order is entered in his or her case; conforming cross-references; amending s. 985.2155, F.S.; revising the definition of the term "fiscally constrained county" for purposes of

determining state payment of costs of juvenile detention care; amending s. 985.228, F.S.; requiring the court to include specified conditions in a child's order of adjudication of delinquency that apply during the postadjudication and predisposition period; providing a definition; permitting a court to find a child in contempt of court for a violation of adjudication order conditions; providing sanctions; amending s. 985.231, F.S.; conforming cross-references; amending s. 985.308, F.S.; providing for evaluations of juvenile sexual offender programs; conforming cross-references; repealing s. 985.309, F.S., relating to boot camps for children; creating s. 985.3091, F.S.; authorizing the department to contract for sheriff's training and respect programs; providing eligibility requirements for children placed in the programs; specifying required program offerings; specifying program participation time frames; requiring the department to adopt rules and maintain specified records; providing for quarterly evaluations of and contract cancellation under specified circumstances; specifying staff training requirements; requiring the department to adopt training rules; prohibiting the provision of direct care to children by staff who have not complied with training requirements; prohibiting the operation of a program until department rules are adopted and the department has verified program compliance with applicable law and rules; authorizing emergency rules to expedite implementation; amending s. 985.311, F.S.; requiring the establishment of minimum thresholds for evaluations; conforming cross-references; amending s. 985.404, F.S.; providing for the inclusion of evaluations in department contract cooperative agreements; conforming cross-references; creating s. 985.4055, F.S.; providing definitions; requiring the department to adopt rules establishing a protective action response policy; specifying when verbal and physical intervention techniques may be used; specifying prohibited uses of mechanical restraints; prohibiting use of aerosol and chemical agents; requiring the department to adopt rules establishing protection action response training curriculums and certification procedures; requiring department and provider employees to be certified in protective action response prior to exercising direct care; creating s. 985.4056, F.S.; creating the Juvenile Justice Accountability Commission; providing for membership; providing definitions; providing for meetings and voting requirements; providing for an executive director and staff; providing for commission's budget; providing for reimbursement of per diem and travel expenses; requiring the commission to contract for a comprehensive evaluation and accountability system for juvenile justice programs; providing requirements for the system; requiring a report by the system provider; specifying commission duties; requiring a report by the commission; providing for termination of juvenile justice programs in specified circumstances; requiring the commission to adopt rules; amending s. 985.412, F.S.; deleting department's authority to establish a comprehensive quality assurance system; providing conforming changes; deleting obsolete provisions relating to incentive and disincentive proposals and liquidated damages; amending ss. 958.04, 958.046, 985.31, 985.314, and 985.315, F.S.; conforming cross-references and terminology; providing an effective date.

—was read the second time by title.

Representative Barreiro offered the following:

(Amendment Bar Code: 236507)

**Amendment 1 (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Subsection (47) of section 39.01, Florida Statutes, is amended to read:

39.01 Definitions.--When used in this chapter, unless the context otherwise requires:

(47) "Other person responsible for a child's welfare" includes the child's legal guardian, legal custodian, or foster parent; an employee of a private school, public or private child day care center, residential home, institution, facility, or agency; a law enforcement officer employed in any facility, service, or program for children that is operated or contracted by the Department of Juvenile Justice; or any other person legally responsible for the child's welfare in a residential setting; and also includes an adult sitter or

relative entrusted with a child's care. For the purpose of departmental investigative jurisdiction, this definition does not include the following persons when they are acting in an official capacity: law enforcement officers, except as otherwise provided in this subsection; or employees of municipal or county detention facilities; or employees of the Department of Corrections, while acting in an official capacity.

Section 2. Paragraph (e) is added to subsection (1) of section 985.207, Florida Statutes, to read:

985.207 Taking a child into custody.--

(1) A child may be taken into custody under the following circumstances:

(e) When a law enforcement officer has probable cause to believe that a child who is awaiting disposition has violated conditions imposed by the court under s. 985.228(5) in his or her order of adjudication of delinquency.

Nothing in this subsection shall be construed to allow the detention of a child who does not meet the detention criteria in s. 985.215.

Section 3. Subsection (2) and paragraphs (d) and (g) of subsection (5) of section 985.215, Florida Statutes, are amended to read:

985.215 Detention.--

(2) Subject to the provisions of subsection (1), a child taken into custody and placed into nonsecure or home detention care or detained in secure detention care prior to a detention hearing may continue to be detained by the court if:

(a) The child is alleged to be an escapee from a residential commitment program, or an absconder from a nonresidential commitment program, a probation program, or conditional release supervision, or is alleged to have escaped while being lawfully transported to or from a residential commitment program.

(b) The child is wanted in another jurisdiction for an offense which, if committed by an adult, would be a felony.

(c) The child is charged with a delinquent act or violation of law and requests in writing through legal counsel to be detained for protection from an imminent physical threat to his or her personal safety.

(d) The child is charged with committing an offense of domestic violence as defined in s. 741.28 and is detained as provided in s. 985.213(2)(b)3.

(e) The child is charged with possession or discharging a firearm on school property in violation of s. 790.115.

(f) The child is charged with a capital felony, a life felony, a felony of the first degree, a felony of the second degree that does not involve a violation of chapter 893, or a felony of the third degree that is also a crime of violence, including any such offense involving the use or possession of a firearm.

(g) The child is charged with any second degree or third degree felony involving a violation of chapter 893 or any third degree felony that is not also a crime of violence, and the child:

1. Has a record of failure to appear at court hearings after being properly notified in accordance with the Rules of Juvenile Procedure;
2. Has a record of law violations prior to court hearings;
3. Has already been detained or has been released and is awaiting final disposition of the case;
4. Has a record of violent conduct resulting in physical injury to others; or
5. Is found to have been in possession of a firearm.

(h) The child is alleged to have violated the conditions of the child's probation or conditional release supervision. However, a child detained under this paragraph may be held only in a consequence unit as provided in s. 985.231(1)(a)1.c. If a consequence unit is not available, the child shall be placed on home detention with electronic monitoring.

(i) The child is detained on a judicial order for failure to appear and has previously willfully failed to appear, after proper notice, for an adjudicatory hearing on the same case regardless of the results of the risk assessment instrument. A child may be held in secure detention for up to 72 hours in advance of the next scheduled court hearing pursuant to this paragraph. The child's failure to keep the clerk of court and defense counsel informed of a current and valid mailing address where the child will receive notice to appear at court proceedings does not provide an adequate ground for excusal of the child's nonappearance at the hearings.

(j) The child is detained on a judicial order for failure to appear and has previously willfully failed to appear, after proper notice, at two or more court

hearings of any nature on the same case regardless of the results of the risk assessment instrument. A child may be held in secure detention for up to 72 hours in advance of the next scheduled court hearing pursuant to this paragraph. The child's failure to keep the clerk of court and defense counsel informed of a current and valid mailing address where the child will receive notice to appear at court proceedings does not provide an adequate ground for excusal of the child's nonappearance at the hearings.

(k) At his or her adjudicatory hearing, the child has been found to have committed a delinquent act or violation of law and has previously willfully failed to appear, after proper notice, for other delinquency court proceedings of any nature regardless of the results of the risk assessment instrument. A child may be held in secure detention or, at the discretion of the court and if available, placed on home detention with electronic monitoring until the child's disposition order is entered in his or her case. The child's failure to keep the clerk of court and defense counsel informed of a current and valid mailing address where the child will receive notice to appear at court proceedings does not provide an adequate ground for excusal of the child's nonappearance at the hearings.

A child who meets any of these criteria and who is ordered to be detained pursuant to this subsection shall be given a hearing within 24 hours after being taken into custody. The purpose of the detention hearing is to determine the existence of probable cause that the child has committed the delinquent act or violation of law with which he or she is charged and the need for continued detention, except where the child is alleged to have absconded from a nonresidential commitment program in which case the court, at the detention hearing, shall order that the child be released from detention and returned to his or her nonresidential commitment program. Unless a child is detained under paragraph (d), ~~or paragraph (e), or paragraph (k),~~ the court shall use the results of the risk assessment performed by the juvenile probation officer and, based on the criteria in this subsection, shall determine the need for continued detention. A child placed into secure, nonsecure, or home detention care may continue to be so detained by the court pursuant to this subsection. If the court orders a placement more restrictive than indicated by the results of the risk assessment instrument, the court shall state, in writing, clear and convincing reasons for such placement. Except as provided in s. 790.22(8) or in subparagraph (10)(a)2., paragraph (10)(b), paragraph (10)(c), or paragraph (10)(d), when a child is placed into secure or nonsecure detention care, or into a respite home or other placement pursuant to a court order following a hearing, the court order must include specific instructions that direct the release of the child from such placement no later than 5 p.m. on the last day of the detention period specified in paragraph (5)(b) or paragraph (5)(c), or subparagraph (10)(a)1., whichever is applicable, unless the requirements of such applicable provision have been met or an order of continuance has been granted pursuant to paragraph (5)(f).

(5)

(d) Except as provided in paragraph (2)(k), paragraph (g), or s. 985.228(5), a child may not be held in secure, nonsecure, or home detention care for more than 15 days following the entry of an order of adjudication.

(g) Upon good cause being shown that the nature of the charge requires additional time for the prosecution or defense of the case, the court may extend the time limits for detention specified in paragraph (c) or paragraph (d) an additional 9 days if the child is charged with an offense that would be, if committed by an adult, a capital felony, a life felony, a felony of the first degree, or a felony of the second degree involving violence against any individual.

Section 4. Paragraph (b) of subsection (2) of section 985.2155, Florida Statutes, is amended to read:

985.2155 Shared county and state responsibility for juvenile detention.--

(2) As used in this section, the term:

(b) "Fiscally constrained county" means a county ~~designated as a rural area of critical economic concern under s. 288.0656~~ for which the value of a mill in the county is no more than ~~\$4~~ \$3 million, based on the property valuations and tax data annually published by the Department of Revenue under s. 195.052.

Section 5. Subsection (5) of section 985.228, Florida Statutes, is amended to read:

985.228 Adjudicatory hearings; withheld adjudications; orders of adjudication.--

(5)(a) If the court finds that the child named in a petition has committed a delinquent act or violation of law, but elects not to proceed under subsection (4), it shall incorporate that finding in an order of adjudication of delinquency entered in the case, briefly stating the facts upon which the finding is made, and the court shall thereafter have full authority under this chapter to deal with the child as adjudicated.

(b) The order of adjudication of delinquency under paragraph (a) shall also include conditions that must be followed by the child until a disposition order is entered in his or her case. These conditions must include, but are not limited to, specifying that the child, during any period of time that he or she:

1. Is not in secure detention, must comply with a curfew; must attend school or another educational program, if eligible; and is prohibited from engaging in ungovernable behavior.

2. Is in secure detention, is prohibited from engaging in ungovernable behavior.

(c) For purposes of this subsection, the term "ungovernable behavior" means:

1. The child's failing to obey the reasonable and lawful demands of the child's parent or legal guardian and, where applicable, the reasonable and lawful demands of a person responsible for supervising the child while he or she is in school, another educational program, or secure detention.

2. The child engaging in behavior that evidences a risk that the child may fail to appear for future court proceedings or may inflict harm upon others or the property of others.

3. Other behavior of the child as specified in writing by the court in the order of adjudication of delinquency.

(d) If a child willfully violates a condition contained in his or her order of adjudication of delinquency, the court may find the child in direct or indirect contempt of court under s. 985.216; however, notwithstanding s. 985.216 and the results of the risk assessment instrument, the child's sanctions for such contempt of court shall be placement in secure detention or, at the discretion of the court and if available, on home detention with electronic monitoring until the child's disposition order is entered in his or her case.

Section 6. Paragraph (j) of subsection (1) of section 985.231, Florida Statutes, is amended to read:

985.231 Powers of disposition in delinquency cases.--

(1)

(j) If the offense committed by the child was grand theft of a motor vehicle, the court:

1. Upon a first adjudication for a grand theft of a motor vehicle, may place the child ~~youth~~ in a sheriff's training and respect program ~~boot camp~~, unless the child is ineligible under s. 985.3091 pursuant to s. 985.309, and shall order the child ~~youth~~ to complete a minimum of 50 hours of community service.

2. Upon a second adjudication for grand theft of a motor vehicle which is separate and unrelated to the previous adjudication, may place the child ~~youth~~ in a sheriff's training and respect program ~~boot camp~~, unless the child is ineligible under s. 985.3091 pursuant to s. 985.309, and shall order the child ~~youth~~ to complete a minimum of 100 hours of community service.

3. Upon a third adjudication for grand theft of a motor vehicle which is separate and unrelated to the previous adjudications, shall place the child ~~youth~~ in a sheriff's training and respect program ~~boot camp~~ or other treatment program, unless the child is ineligible under s. 985.3091 pursuant to s. 985.309, and shall order the child ~~youth~~ to complete a minimum of 250 hours of community service.

Section 7. Section 985.309, Florida Statutes, is repealed.

Section 8. Section 985.3091, Florida Statutes, is created to read:

985.3091 Sheriff's training and respect programs.--

(1) Contingent upon specific appropriation, local funding, or specific appropriation and local funding, a county sheriff may, under contract with the department, implement and operate a sheriff's training and respect program to provide intensive education, physical training, and rehabilitation for children who are eligible under subsection (2). A sheriff's training and respect program shall be under the sheriff's supervisory authority as determined by the contract between the department and the sheriff.

(2) A child is eligible for placement in a sheriff's training and respect program if he or she:

(a) Is at least 14 years of age but less than 18 years of age at the time of adjudication.

(b) Has been committed to the department for any offense that, if committed by an adult, would be a felony other than a capital felony, a life felony, or a violent felony of the first degree.

(c) Has a medical, psychological, and substance abuse profile that is conducive to successful completion of the program, as determined by the sheriff's and department's review of preadmission medical, psychological, and substance abuse screenings conducted by the department.

(d) Will be placed in the judicial circuit in which the child was adjudicated, except that the child may be placed outside of that judicial circuit if:

1. The department, or the court if otherwise authorized by law to select a commitment program within a restrictiveness level for a child, determines that placement within the judicial circuit would not be in the child's best interest or the sheriff's training and respect program is unable to accept the child; and

2. The child's parent or guardian agrees in writing to the placement.

(3) A sheriff's training and respect program shall require children to:

(a) Participate in physical training exercises.

(b) Complete educational, vocational, community service, and substance abuse programs.

(c) Receive training in life and job skills and in techniques for appropriate decisionmaking.

(d) Receive counseling that is directed at replacing criminal thinking, beliefs, and values with moral thinking, beliefs, and values.

(4) A sheriff's training and respect program shall be a moderate-risk residential program and must provide conditional release assessment and services in accordance with s. 985.316. The minimum period of participation in the residential component of a sheriff's training and respect program is 4 months; however, this subsection does not prohibit operation of a program that requires the participants to spend more than 4 months in the residential component of the program or that requires the participants to complete two sequential programs of 4 months each in the residential component of the program.

(5) The department shall adopt rules under ss. 120.536(1) and 120.54 for the sheriff's training and respect program that specify:

(a) Requirements for the preadmission medical, psychological, and substance abuse screenings required by subsection (2).

(b) Authorized disciplinary sanctions and restrictions on the privileges of the general population of children in the program. The rules must prohibit the use of physical force or restraint except as authorized in rules adopted pursuant to s. 985.4055 and must specifically preclude the use of physical force or restraint as a disciplinary sanction or to encourage compliance with program requirements.

(c) Prohibitions on the use of psychological intimidation techniques, unless necessary for the safety of youth or other persons or to maintain security.

(d) Requirements for provision of notice by the program to the department and for the removal of a child from the program if the child becomes unmanageable or ineligible for the program due to changes in his or her medical, psychological, or substance abuse profile.

(e) Requirements for the prominent display of the telephone number of the statewide abuse registry and for immediate access by children in the program, upon request, to a telephone for the purpose of contacting the abuse registry.

(6)(a) Evaluations under s. 985.412(5) of each sheriff's training and respect program shall be conducted quarterly during the first year of the program's operation. Thereafter, if the program has met the minimum thresholds for the evaluation, the program shall be evaluated annually. If a sheriff's training and respect program fails to meet the minimum thresholds, the department shall cancel the contract for the program:

1. Immediately if the program has a deficiency in a critical life safety aspect of its operations, as defined in department rule, or has failed to train and certify its employees as required in s. 985.4055.

2. If the program fails to achieve compliance with the minimum thresholds for program continuation within 3 months, unless there are documented extenuating circumstances, as defined in department rule.

(b) Upon cancellation of a contract under paragraph (a), the program's operations shall immediately cease and the department shall immediately discontinue any state payments to the program.

(7) The department shall keep records and monitor criminal activity, educational progress, and employment placement of all sheriff's training and respect program participants after their release from the program. The department must annually publish an outcome evaluation study of each sheriff's training and respect program.

(8)(a) The department shall adopt rules under ss. 120.536(1) and 120.54 that establish training requirements for staff in a sheriff's training and respect program. These requirements shall, at a minimum, require administrative staff to successfully complete 120 contact hours of department-approved training and staff who provide direct care, as defined in s. 985.4055, to successfully complete 200 contact hours of department-approved training.

(b) Department-approved training must include, but is not limited to, training on:

1. State and federal laws relating to child abuse.
2. Authorized disciplinary sanctions, privilege restrictions, and limitations on use of physical force and restraint techniques under paragraph (5)(b) and prohibited psychological intimidation techniques under paragraph (5)(c).
3. Appropriate counseling techniques and aggression control methods.
4. Appropriate methods for dealing with children who have been placed in programs that emphasize physical fitness and personal discipline, including training on the identification of, and appropriate responses to, children who are experiencing physical or mental distress.

5. Cardiopulmonary resuscitation, choke-relief, and other emergency medical procedures.

(c) All department-approved training courses under this subsection must be taught by persons who are certified as instructors by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement and who have prior experience in a juvenile program. A training course in counseling techniques need not be taught by a certified instructor but must be taught by a person who has at least a bachelor's degree in social work, counseling, psychology, or a related field.

(d) A person may not provide direct care, as defined in s. 985.4055, to a child in a sheriff's training and respect program unless he or she has successfully completed the training requirements under this subsection and has complied with the requirements for employees under s. 985.4055(2)(b)-(d).

(9) Children shall not be admitted to a sheriff's training and respect program until the department has adopted the rules required by this section and has verified that each program is in compliance with all laws and rules applicable to the program. The department may adopt emergency rules pursuant to s. 120.54(4) if necessary to allow operation of sheriff's training and respect programs beginning July 1, 2006.

Section 9. Paragraph (i) of subsection (3) of section 985.311, Florida Statutes, is amended to read:

985.311 Intensive residential treatment program for offenders less than 13 years of age.--

(3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND TREATMENT.--

(i) The treatment and placement recommendations shall be submitted to the court for further action pursuant to this paragraph:

1. If it is recommended that placement in an intensive residential treatment program for offenders less than 13 years of age is inappropriate, the court shall make an alternative disposition pursuant to s. 985.3091 ~~985.309~~ or other alternative sentencing as applicable, utilizing the recommendation as a guide.

2. If it is recommended that placement in an intensive residential treatment program for offenders less than 13 years of age is appropriate, the court may commit the child to the department for placement in the restrictiveness level designated for intensive residential treatment program for offenders less than 13 years of age.

Section 10. Section 985.4055, Florida Statutes, is created to read:

985.4055 Protective action response.--

(1) For purposes of this section, the term:

(a) "Direct care" means the care, supervision, custody, or control of youth in any facility, service, or program that is operated by the department or by a provider under contract with the department.

(b) "Employee" means any person who exercises direct care.

(c) "Protective Action Response policy" means the policy governing the use of verbal and physical intervention techniques, mechanical restraints, and aerosol and chemical agents by employees.

(2) The department shall adopt rules under ss. 120.536(1) and 120.54 that:

(a) Establish a Protective Action Response policy that:

1. Defines the authorized level of response by an employee to each level of verbal or physical resistance by a youth.

2. Requires the use of verbal intervention techniques as the initial response by an employee to verbal or physical resistance by a youth, except where physical intervention techniques are necessary to prevent:

a. Physical harm to the youth, employee, or another person;

b. Property damage; or

c. The youth from escaping or absconding from lawful supervision.

3. Defines authorized physical intervention techniques and the situations under which employees may use these techniques for youth. Pain compliance techniques and use of less than lethal force shall be prohibited, except where necessary to prevent:

a. Physical harm to the youth, employee, or another person;

b. Property damage; or

c. The youth from escaping or absconding from lawful supervision.

Lethal force shall be prohibited, except where necessary to protect the employee or another person from an imminent threat of great bodily harm or death. Prior authorization by an employee's supervisor for the use of physical intervention techniques shall be obtained when practical.

4. Defines authorized use of mechanical restraints and the situations under which employees may use such restraints on youth. Prohibited uses of mechanical restraints shall include the use of neck restraints and the securing of a youth to a fixed object. Supervision requirements for youth who are secured in mechanical restraints shall include constant and direct visual monitoring by an employee for purposes of insuring youth safety and ascertaining indications by the youth that restraints are no longer necessary. Prior authorization by an employee's supervisor for the use of mechanical restraints shall be obtained when practical.

5. Prohibits employee use of aerosol or chemical agents, including, but not limited to, oleoresin capsicum spray and ammonia capsules, on a youth unless required for medical treatment of the youth by a licensed medical professional.

(b) Establish training curriculums for protective action response certification of employees and instructors. The training curriculum for employee certification shall, at a minimum, require the employee to:

1. Complete 40 hours of instruction on the protective action response policy.

2. Obtain a passing score:

a. On a written examination that tests the employee's knowledge and understanding of the protective action response policy.

b. During an evaluation by an instructor of the employee's physically demonstrated ability to implement the protective action response policy.

(c) Require training curriculums for protective action response certification of employees to be taught by instructors who have been certified under the training curriculum for protective action response certification of instructors.

(d) Require each employee to have:

1. Completed the instruction required under subparagraph (b)1 within 90 days.

2. Received his or her protective action response certification within 90 days.

3. Direct supervision during the 90-day period prior to completing the instruction and certification requirements under subparagraphs 1. and 2. by an employee who had received the training and certification required by subparagraphs 1. and 2.

Section 11. Section 985.4056, Florida Statutes, is created to read:

985.4056 Juvenile Justice Accountability Commission.--

(1) CREATION; MEMBERSHIP.--

(a) The Juvenile Justice Accountability Commission is created and administratively housed within the department. The commission shall be composed of seven members appointed by the Governor. Each member of the commission must have direct experience in juvenile justice issues and must be a citizen of and registered voter in this state. The composition of the commission must equitably represent all geographic areas of the state and include minorities and women.

(b) Within the 2-year period preceding his or her appointment, a member of the commission may not have been, and during the 2-year period following termination of his or her appointment, a member of the commission may not be:

1. An employee of, a consultant to, or a provider under contract with the department.

2. A contractor, or an employee or a consultant thereof, who submits a bid, proposal, or reply in response to a competitive solicitation issued by the commission.

(c) Each member of the commission shall serve a term of 4 years; however, for the purpose of providing staggered terms, of the initial appointments, three members shall serve 2-year terms and four members shall serve 4-year terms. Any vacancy on the commission shall be filled in the same manner as the original appointment within 60 days after the date upon which the vacancy occurred, and any member appointed to fill a vacancy shall serve only for the unexpired term of the member's predecessor. The chairperson of the commission shall be selected by the members for a term of 1 year.

(d) In addition to the membership specified under this subsection, the commission shall invite ex officio, nonvoting associates to attend and participate in commission meetings and to provide advice to the commission. The ex officio associates shall include, but are not limited to:

1. A member of the House of Representatives designated by the Speaker of the House.

2. A member of the Senate designated by the President of the Senate.

3. An employee of the Executive Office of the Governor designated by the Governor.

4. An employee of the department.

5. A circuit court judge with at least 1 year's experience in the juvenile delinquency division.

6. A sheriff.

7. A provider under contract with the department for the provision of one or more juvenile justice programs.

8. A member of a juvenile justice advocacy organization.

9. An employee of the Department of Law Enforcement who is responsible for data compilation and research.

10. A state university employee responsible for juvenile justice research.

(2) DEFINITIONS.--For purposes of this section, the term:

(a) "Juvenile justice program" means any facility, service, or program that is operated by the department or by a provider under contract with the department.

(b) "Minorities" means a member of a socially or economically disadvantaged group and includes African Americans, Hispanics, and American Indians.

(3) MEETINGS.--

(a) The commission shall hold a minimum of four regular meetings annually, and other meetings may be called by the chair upon giving at least 7 days' notice to all members and the public pursuant to chapter 120. Meetings may also be held upon the written request of at least four members, upon at least 7 days' notice of such meeting being given to all members and the public by the chair pursuant to chapter 120. Emergency meetings may be held without notice upon the request of all members. The meetings of the commission shall be held in the central office of the department in Tallahassee unless the chair determines that special circumstances warrant meeting at another location.

(b) A majority of the membership of the commission constitutes a quorum and a quorum is required for any meeting of the commission during which action will be voted upon. An action of the commission is not binding unless the action is taken pursuant to an affirmative vote of a majority of the members present and the vote must be recorded in the minutes of the meeting.

(c) A member of the commission may not authorize a designee to attend a meeting of the commission in his or her place. A member who fails to attend two consecutive regularly scheduled meetings of the commission, unless the member is excused by the chairperson, shall be deemed to have abandoned the position, and the position shall be declared vacant by the commission.

(d) The chairperson shall cause to be made a complete record of the proceedings of the commission, which record shall be open for public inspection.

(4) ORGANIZATION.--

(a) The commission, subject to appropriation, may employ an executive director and other staff, and may retain consultants, as necessary.

(b) The commission shall be a separate budget entity, and the executive director shall be the chief administrative officer. The department shall provide administrative support and service to the commission to the extent requested by the executive director. The commission and its staff are not subject to the control, supervision, or direction of the department.

(c) The commission shall develop a budget pursuant to chapter 216. The budget is not subject to change by the department and shall be submitted to the Governor and Legislature as provided in s. 216.023.

(d) Members of the commission and ex officio associates shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses under s. 112.061.

(5) DUTIES.--The commission shall:

(a) On or before October 1, 2006 and subject to appropriation, enter into a contract under chapter 287 for the development of a comprehensive evaluation, accountability, and reporting system for each juvenile justice program individually and for each category of the juvenile justice program for the purpose of informing service providers and policy makers of the effectiveness of individual providers and of the various approaches to providing services. The contract must require the provider to deliver the following on or before January 15, 2007:

1. A standardized evaluation protocol based upon best practices for each juvenile justice program that:

a. Includes minimum thresholds for program continuation and that identifies program effectiveness and areas in need of expansion, improvement, modification, or elimination.

b. Provides criteria for program termination based upon evaluation results.

c. Requires continual review of best practices literature and updates to the standardized evaluation protocol based upon that review.

d. Requires an annual report to the executive and legislative branches, which sets forth for each juvenile justice program:

(I) A comprehensive description of the population served by the program.

(II) A specific description of the services provided by the program.

(III) Program cost.

(IV) A comparison of expenditures to federal and state funding.

(V) Immediate and long-range program concerns.

(VI) Recommendations to maintain, expand, improve, modify, or eliminate the program.

2. A process for the collection, analysis, and reporting of statistical data that will enable continuous evaluation of the juvenile justice system as a whole and will provide the Legislature, Governor, and the department with necessary and useful information and reports to make informed decisions regarding the effectiveness of, and any needed changes in, juvenile justice programming, policies, and laws.

(b) On or before February 15, 2007, submit a report to the appropriate substantive and fiscal committees of the Legislature, the Governor, and the secretary of the department that:

1. Provides a detailed summary of, and an implementation schedule for, the comprehensive evaluation, accountability, and reporting system developed by the provider under paragraph (a).

2. Sets forth recommendations by the commission for:

a. Modifications to the provider-developed system if found warranted by the commission.

b. Statutory amendments and department rule and policy changes that will be required to implement the provider-developed system.

c. Review and recommend programmatic and fiscal policies governing the operation of juvenile justice programs. Funding requirements for implementation of the provider-developed system.

d. Whether the provider-developed system should be implemented by employees of the commission or by a provider under contract with the commission.

(c) Monitor the development and implementation of long-range juvenile justice program policies, including prevention, early intervention, diversion, adjudication, and commitment.

(d) Review and recommend programmatic and fiscal policies governing the operation of juvenile justice programs.

(e) Serve as a clearinghouse, in coordination with the department, to provide information and assistance to the juvenile justice circuit boards and juvenile justice county councils.

(f) Advise the President of the Senate, the Speaker of the House of Representatives, the Governor, and the department on matters relating to this chapter.

(g) Conduct such other activities as the commission may determine are necessary and appropriate to monitor the effectiveness of the delivery of juvenile justice under this chapter.

(h) Submit an annual report to the Governor, the appropriate substantive and fiscal committees of the Legislature, and the secretary of the department no later than January 1st of each year that summarizes the meetings and activities of the commission during the preceding year and includes any recommendations of the commission for the following year.

(6) INFORMATION SYSTEM ACCESS.--The department shall provide the commission with automated access to the Juvenile Justice Information System under s. 20.316(4).

(7) RULEMAKING.--The commission shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

Section 12. Section 985.412, Florida Statutes, is amended to read:

985.412 Program review and reporting requirements Quality assurance and cost effectiveness.--

(1) LEGISLATIVE PURPOSE.--It is the intent of the Legislature that the department:

(a) Ensure that information be provided to decisionmakers in a timely manner so that resources are allocated to programs that of the department ~~which~~ achieve desired performance levels.

(b) Collect and analyze available statistical data for the purpose of ongoing evaluation of all programs.

(c)(b) Provide information about the cost of such programs and their differential effectiveness so that program ~~the quality~~ may of such programs ~~can~~ be compared and improvements made continually.

(d)(e) Provide information to aid in developing related policy issues and concerns.

(e)(d) Provide information to the public about the effectiveness of such programs in meeting established goals and objectives.

(f)(e) Provide a basis for a system of accountability so that each youth client is afforded the best programs to meet his or her needs.

(g)(f) Improve service delivery to youth clients.

(h)(g) Modify or eliminate activities that are not effective.

(2) DEFINITIONS.--As used in this section, the term:

(a) "Youth" "Client" means any person who is being provided treatment or services by the department or by a provider under contract with the department.

(b) "Program" means any facility, service, or program for youth that is operated by the department or by a provider under contract with the department.

(c)(b) "Program component" means an aggregation of generally related objectives which, because of their special character, related workload, and interrelated output, can logically be considered an entity for purposes of organization, management, accounting, reporting, and budgeting.

(e) "Program effectiveness" means the ability of the program to achieve desired client outcomes, goals, and objectives.

(d) "Program group" means a collection of programs with sufficient similarity of function, services, and youth to permit appropriate comparisons among programs within the group.

(3) OUTCOME EVALUATION.--The department, in consultation with the Office of Economic and Demographic Research, the Office of Program Policy Analysis and Government Accountability, and contract service providers, shall develop and use a standard methodology for annually measuring, evaluating, and reporting program outputs and youth outcomes for each program and program group.

(a) The standard methodology must:

1. Incorporate, whenever possible, performance-based budgeting measures.

2. Include common terminology and operational definitions for measuring the performance of system and program administration, program outputs, and youth outcomes.

3. Specify program outputs for each program and for each program group within the juvenile justice continuum.

4. Specify desired youth outcomes and methods by which to measure youth outcomes for each program and program group.

(b) By February 15 of each year, the department shall submit to the appropriate substantive and fiscal committees of each house of the Legislature and the Governor a report that identifies and describes:

1. The standard methodology implemented under paragraph (a).

2. The programs offered within each program group.

3. The demographic profile and offense history of youth served in each program group.

4. The actual program outputs and youth outcomes achieved in each program group. The department shall annually collect and report cost data for every program operated or contracted by the department. The cost data shall conform to a format approved by the department and the Legislature. Uniform cost data shall be reported and collected for state-operated and contracted programs so that comparisons can be made among programs. The department shall ensure that there is accurate cost accounting for state-operated services including market equivalent rent and other shared cost. The cost of the educational program provided to a residential facility shall be reported and included in the cost of a program. The department shall submit an annual cost report to the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of each house of the Legislature, the appropriate substantive and fiscal committees of each house of the Legislature, and the Governor, no later than December 1 of each year. Cost-benefit analysis for educational programs will be developed and implemented in collaboration with and in cooperation with the Department of Education, local providers, and local school districts. Cost data for the report shall include data collected by the Department of Education for the purposes of preparing the annual report required by s. 1003.52(19).

(4)(a) PROGRAM ACCOUNTABILITY MEASURES.--The department of Juvenile Justice, in consultation with the Office of Economic and Demographic Research, and contract service providers, shall develop a cost-effectiveness model and apply the model to each commitment program. Program recidivism rates shall be a component of the model.

(a) The cost-effectiveness model shall compare program costs to expected and actual youth recidivism rates client outcomes and program outputs. It is the intent of the Legislature that continual development efforts take place to improve the validity and reliability of the cost-effectiveness model and to integrate the standard methodology developed under s. 985.401(4) for interpreting program outcome evaluations.

(b) The department shall rank commitment programs based on the cost-effectiveness model and shall submit a report to the appropriate substantive and fiscal committees of each house of the Legislature by January 15 ~~December 31~~ of each year.

(c) Based on reports of the department on client outcomes and program outputs ~~and on the department's most recent cost-effectiveness rankings~~, the department may terminate a commitment program operated by the department or a provider if the program has failed to achieve a minimum threshold of cost-effectiveness ~~program effectiveness~~. This paragraph does not preclude the department from terminating a contract as provided under this section or as otherwise provided by law or contract, and does not limit the department's authority to enter into or terminate a contract.

(d) In collaboration with the Office of Economic and Demographic Research, and contract service providers, the department shall develop a

work plan to refine the cost-effectiveness model so that the model is consistent with the performance-based program budgeting measures approved by the Legislature to the extent the department deems appropriate. The department shall notify the Office of Program Policy Analysis and Government Accountability of any meetings to refine the model.

(e) Contingent upon specific appropriation, the department, in consultation with the Office of Economic and Demographic Research, and contract service providers, shall:

1. Construct a profile of each commitment program that uses the results of the quality assurance report required by this section, the cost-effectiveness report required in this subsection, and other reports available to the department.

2. Target, for a more comprehensive evaluation, any commitment program that has achieved consistently high, low, or disparate ratings in the reports required under subparagraph 1.

3. Identify the essential factors that contribute to the high, low, or disparate program ratings.

4. Use the results of these evaluations in developing or refining juvenile justice programs or program models, youth client outcomes and program outputs, provider contracts, quality assurance standards, and the cost-effectiveness model.

(5) QUALITY ASSURANCE.--The department shall:

(a) Establish a comprehensive quality assurance system for each program ~~operated by the department or operated by a provider under contract with the department.~~ Each contract entered into by the department must provide for quality assurance.

(b) Provide operational definitions of and criteria for quality assurance for each specific program component.

(c) Establish quality assurance goals and objectives for each specific program component.

(d) Establish the information and specific data elements required for the quality assurance program.

(e) Develop a quality assurance manual of specific, standardized terminology and procedures to be followed by each program.

(f) Evaluate each program ~~operated by the department or a provider under a contract with the department~~ and establish minimum thresholds for each program component.

1. If a provider fails to meet the established minimum thresholds, such failure shall cause the department to cancel the provider's contract:

a. Immediately if the provider has a deficiency in a critical life safety aspect of its operations, as defined in department rule, or has failed to train and certify its employees as required in s. 985.4055.

b. If ~~unless~~ the provider fails to achieve ~~achieves~~ compliance with minimum thresholds within 6 months, except as provided in s. 985.3091(6)(a), or unless there are documented extenuating circumstances as defined in department rule.

If a provider's contract is cancelled under subparagraph 1., the provider's operations shall immediately cease, the department shall immediately discontinue any state payments to the provider, and the provider shall be ineligible to contract with the department. In addition, the department may not contract with the same provider for the canceled service for a period of 12 months.

2. If a department-operated program fails to meet the established minimum thresholds, the program's operations shall be:

a. Immediately terminated if the program has a deficiency in a critical life safety aspect of its operations, as defined in department rule, or if the department has failed to train and certify program employees as required in s. 985.4055.

b. Terminated if the department fails to achieve compliance with the minimum thresholds for program continuation within 6 months, unless there are documented extenuating circumstances as defined in department rule. ~~the department must take necessary and sufficient steps to ensure and document program changes to achieve compliance with the established minimum thresholds. If the department-operated program fails to achieve compliance with the established minimum thresholds within 6 months and if there are no documented extenuating circumstances, the department must notify the~~

~~Executive Office of the Governor and the Legislature of the corrective action taken. Appropriate corrective action may include, but is not limited to:~~

~~1. Contracting out for the services provided in the program;~~

~~2. Initiating appropriate disciplinary action against all employees whose conduct or performance is deemed to have materially contributed to the program's failure to meet established minimum thresholds;~~

~~3. Redesigning the program; or~~

~~4. Realigning the program.~~

(g) The department shall Submit an annual report to the President of the Senate, the Speaker of the House of Representatives, the minority leader of each house of the Legislature, the appropriate substantive and fiscal committees of each house of the Legislature, and the Governor by ~~no later than~~ February 1 of each year. The annual report must contain, at a minimum, for each specific program component:

1. A comprehensive description of the population served, ~~by the program;~~

2. A specific description of ~~its~~ the services;

3. A summary of the performance of each program component evaluated, ~~provided by the program;~~

4. Cost data that is reported in a uniform format so that cost comparisons may be made among programs. For a residential program, the cost data must include the cost of its educational program;

5. A comparison of expenditures to federal and state funding;

6. Immediate and long-range concerns; ~~and~~

7. Recommendations to maintain, expand, improve, modify, or eliminate each program component so that changes in services lead to enhancement in program quality. ~~The department shall ensure the reliability and validity of the information contained in the report.~~

~~(6) The department shall collect and analyze available statistical data for the purpose of ongoing evaluation of all programs. The department shall provide the Legislature with necessary information and reports to enable the Legislature to make informed decisions regarding the effectiveness of, and any needed changes in, services, programs, policies, and laws.~~

~~(7) No later than November 1, 2001, the department shall submit a proposal to the Legislature concerning funding incentives and disincentives for the department and for providers under contract with the department. The recommendations for funding incentives and disincentives shall be based upon both quality assurance performance and cost effectiveness performance. The proposal should strive to achieve consistency in incentives and disincentives for both department-operated and contractor-provided programs. The department may include recommendations for the use of liquidated damages in the proposal; however, the department is not presently authorized to contract for liquidated damages in non-hardware secure facilities until January 1, 2002.~~

Section 13. Section 958.046, Florida Statutes, is amended to read:

958.046 Placement in county-operated boot camp programs for youthful offenders.--In counties where there are county-operated youthful offender boot camp programs, other than boot camps described in s. 958.04 or sheriff's training and respect programs in s. 985.3091 ~~985.309~~, the court may sentence a youthful offender to such a boot camp. In county-operated youthful offender boot camp programs, juvenile offenders shall not be commingled with youthful offenders.

Section 14. Paragraph (i) of subsection (3) of section 985.31, Florida Statutes, is amended to read:

985.31 Serious or habitual juvenile offender.--

(3) PRINCIPLES AND RECOMMENDATIONS OF ASSESSMENT AND TREATMENT.--

(i) The treatment and placement recommendations shall be submitted to the court for further action pursuant to this paragraph:

1. If it is recommended that placement in a serious or habitual juvenile offender program or facility is inappropriate, the court shall make an alternative disposition pursuant to s. 985.3091 ~~985.309~~ or other alternative sentencing as applicable, using ~~utilizing~~ the recommendation as a guide.

2. If it is recommended that placement in a serious or habitual juvenile offender program or facility is appropriate, the court may commit the child to the department for placement in the restrictiveness level designated for serious or habitual delinquent children programs.

Section 15. Section 985.314, Florida Statutes, is amended to read:

985.314 Commitment programs for juvenile felony offenders.--

(1) Notwithstanding any other law and regardless of the child's age, a child who is adjudicated delinquent, or for whom adjudication is withheld, for an act that would be a felony if committed by an adult, shall be committed to:

(a) A sheriff's training and respect boot camp program under s. 985.3091 ~~985.309~~ if the child has participated in an early delinquency intervention program as provided in s. 985.305.

(b) A program for serious or habitual juvenile offenders under s. 985.31 or an intensive residential treatment program for offenders less than 13 years of age under s. 985.311, if the child has participated in an early delinquency intervention program and has completed a sheriff's training and respect boot camp program.

(c) A maximum-risk residential program, if the child has participated in an early delinquency intervention program, has completed a sheriff's training and respect boot camp program, and has completed a program for serious or habitual juvenile offenders or an intensive residential treatment program for offenders less than 13 years of age. The commitment of a child to a maximum-risk residential program must be for an indeterminate period, but may not exceed the maximum term of imprisonment that an adult may serve for the same offense.

(2) In committing a child to the appropriate program, the court may consider an equivalent program of similar intensity as being comparable to a program required under subsection (1).

Section 16. Cost of supervision and care waiver; pilot program.--

(1) For purposes of this section, the term:

(a) "Approved parenting class" means a class approved by the Juvenile Justice Accountability Commission under subsection (4).

(b) "Court" means a circuit court in the Ninth Judicial Circuit.

(c) "Department" means the Department of Juvenile Justice.

(d) "Parent" means the parent of child whose delinquency case comes before a circuit court in the Ninth Judicial Circuit.

(2)(a) Notwithstanding any contrary provision of s. 985.2311, Florida Statutes, for the period of October 1, 2006 through June 30, 2009, the court shall enter an order waiving the fees required to be paid under s. 985.2311, Florida Statutes, by a parent if the parent successfully completes an approved parenting class and presents the court with notarized documentation of such completion.

(b) Participation in an approved parenting class under this subsection is voluntary and the parent is responsible for the payment of all costs associated with participation in the class.

(c) A parent who fails to successfully complete an approved parenting class shall pay the full amount of fees required by s. 985.2311, Florida Statutes.

(d) A parent may only have fees waived under this subsection once.

(3) The Office of Program Policy and Government Accountability shall evaluate the pilot program created by this section and shall submit a written report to the appropriate substantive and fiscal committees of the Legislature, the Governor, and the Department of Juvenile Justice on September 30, 2007, and annually thereafter, which identifies for the Ninth Judicial Circuit during the fiscal year preceding the report:

(a) The number of delinquency cases in which fees were required to be ordered under s. 985.2311, F.S., and the total amount of those fees.

(b) The number of delinquency cases in which parents agreed to complete an approved parenting class and the number of delinquency cases in which the parent submitted notarized documentation of successful completion to the court.

(c) The number of delinquency cases in which the court entered an order waiving fees under subsection (2) and the total amount of fees waived.

(d) The number of youth, as such data becomes available, who are taken into custody for a felony or misdemeanor within six months following their release from department custody or supervision, whichever occurs later, and whose parents' fees under s. 985.2311, Florida Statutes, are:

1. Waived by court order under subsection (2).

2. Not waived by court order under subsection (2).

(4) The Juvenile Justice Accountability Commission, subject to appropriation, shall execute a contract under chapter 287 for the provision of

parenting courses in the Ninth Judicial Circuit between October 1, 2006 through June 30, 2009.

(5) This section is repealed effective October 1, 2009.

Section 17. Effective October 1, 2006, all powers, duties, resources, and personnel associated with the Department of Juvenile Justice's responsibilities under ss. 985.308(9), 985.311(2)(e), and 985.412, Florida Statutes are transferred to the Juvenile Justice Accountability Commission created by this act.

Section 18. This act shall take effect July 1, 2006.

#### ===== TITLE A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to juvenile justice; amending s. 39.01, F.S.; including specified law enforcement officers in the definition of "other person responsible for a child's welfare" for purposes of abuse investigations; amending s. 985.207, F.S.; permitting a law enforcement officer to take a child into custody for a violation of adjudication order conditions; amending s. 985.215, F.S.; permitting specified types of postadjudication detention for a child who has previously failed to appear at delinquency court proceedings regardless of risk assessment instrument results; providing exceptions that permit postadjudication detention until the child's disposition order is entered in his or her case; conforming cross-references; amending s. 985.2155, F.S.; revising the definition of the term "fiscally constrained county" for purposes of determining state payment of costs of juvenile detention care; amending s. 985.228, F.S.; requiring the court to include specified conditions in a child's order of adjudication of delinquency that apply during the postadjudication and predisposition period; providing a definition; permitting a court to find a child in contempt of court for a violation of adjudication order conditions; providing sanctions; amending s. 985.231, F.S.; conforming cross-references; repealing s. 985.309, F.S., relating to boot camps for children; creating s. 985.3091, F.S.; authorizing the department to contract for sheriff's training and respect programs; providing eligibility requirements for children placed in the programs; specifying required program offerings; specifying program participation time frames; requiring the department to adopt rules and maintain specified records; providing for quarterly evaluations of and contract cancellation under specified circumstances; specifying staff training requirements; requiring the department to adopt training rules; prohibiting the provision of direct care to children by staff who have not complied with training requirements; prohibiting the operation of a program until department rules are adopted and the department has verified program compliance with applicable law and rules; authorizing emergency rules to expedite implementation; amending s. 985.311, F.S.; requiring the establishment of minimum thresholds for evaluations; conforming cross-references; creating s. 985.4055, F.S.; providing definitions; requiring the department to adopt rules establishing a protective action response policy; specifying when verbal and physical intervention techniques may be used; specifying prohibited uses of mechanical restraints; prohibiting use of aerosol and chemical agents; requiring the department to adopt rules establishing protection action response training curriculums and certification procedures; requiring department and provider employees to be certified in protective action response prior to exercising direct care; creating s. 985.4056, F.S.; creating the Juvenile Justice Accountability Commission; providing for membership; providing definitions; providing for meetings and voting requirements; providing for an executive director and staff; providing for commission's budget; providing for reimbursement of per diem and travel expenses; requiring the commission to contract for a comprehensive evaluation and accountability system for juvenile justice programs; providing requirements for the system; requiring a report by the system provider; specifying commission duties; requiring a report by the commission; providing for termination of juvenile justice programs in specified circumstances; requiring the commission to adopt rules; amending s. 985.412, F.S.; deleting department's authority to establish a comprehensive quality assurance system; providing conforming changes; deleting obsolete provisions relating to incentive and disincentive proposals and liquidated damages; amending ss. 958.046, 985.31, and 985.314, F.S.; conforming cross-references and terminology; creating the cost of supervision and care

waiver pilot program in the Ninth Judicial Circuit; requiring waiver of fees imposed under s. 985.2311, F.S., for successful completion of specified parenting classes; providing conditions applicable to such waiver; providing for review of the pilot program and reports by the Office of Program Policy and Government Accountability; requiring the Juvenile Justice Accountability Commission to contract for the provision of parenting classes; providing for future repeal; providing for a type two transfer of powers, duties, resources, and personnel relating to specified department responsibilities to the Juvenile Justice Accountability Commission; providing an effective date.

Rep. Barreiro moved the adoption of the amendment.

Representative Barreiro offered the following:

(Amendment Bar Code: 483209)

**Amendment 1 to Amendment 1 (with title amendment)**—Between lines 4 and 5 insert:

Section 1. This act may be cited as the "Martin Lee Anderson Act of 2006."

===== T I T L E A M E N D M E N T =====

Remove line 1079 and insert:

An act relating to juvenile justice; providing a short title; amending s. 39.01,

Rep. Barreiro moved the adoption of the amendment to the amendment, which was adopted.

Representative Barreiro offered the following:

(Amendment Bar Code: 030785)

**Amendment 2 to Amendment 1**—Remove line 1071 and insert: 985.311(2)(e), 985.411(7) and (9)(b), and 985.412, Florida Statutes, are transferred by a type two transfer as defined in s. 20.06(2), Florida Statutes, to

Rep. Barreiro moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

On motion by Rep. Barreiro, the rules were waived and HB 5019 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 742

Speaker Bense in the Chair.

Yeas—115

Adams	Brutus	Gelber	Kendrick
Allen	Bucher	Gibson, A.	Kottkamp
Altman	Bullard	Gibson, H.	Kravitz
Ambler	Cannon	Glorioso	Kreegel
Anderson	Carroll	Goldstein	Kyle
Antone	Clarke	Goodlette	Legg
Arza	Coley	Gottlieb	Littlefield
Attkisson	Cretul	Grant	Llorente
Ausley	Cusack	Greenstein	Lopez-Cantera
Barreiro	Davis, D.	Grimsley	Machek
Bean	Davis, M.	Harrell	Mahon
Bendross-Mindingall	Dean	Hasner	Mayfield
Bense	Domino	Hays	McInvale
Benson	Evers	Henriquez	Meadows
Berfield	Farkas	Holloway	Mealor
Bilirakis	Fields	Homan	Murzin
Bogdanoff	Flores	Hukill	Needelman
Bowen	Galvano	Johnson	Negron
Brandenburg	Gannon	Jordan	Patterson
Brown	Garcia	Joyner	Pickens
Brummer	Gardiner	Justice	Planas

Poppell	Robaina	Seiler	Taylor
Porth	Roberson	Simmons	Traviesa
Proctor	Ross	Slosberg	Troutman
Quinones	Rubio	Smith	Vana
Reagan	Russell	Sobel	Waters
Rice	Ryan	Sorensen	Williams
Richardson	Sands	Stansel	Zapata
Rivera	Sansom	Stargel	

Nays—None

So the bill passed, as amended, and was certified to the Senate after engrossment.

**HB 5021**—A bill to be entitled An act relating to sexually violent predators; amending s. 394.916, F.S.; providing that a trial in a proceeding to commit a sexually violent predator may be continued once if specified conditions are met; providing that no additional continuances may be granted unless a court finds that a manifest injustice would occur; providing for a determination of competency to proceed in such a commitment trial; providing for placement of incompetent persons in secure forensic mental health facilities until competence is restored; creating s. 394.9171, F.S.; providing for committed sexually violent predators to petition for transfer to commitment to secure forensic mental health facilities; provides that such a transfer is the equivalent of an involuntary inpatient placement under a specified provision; creating s. 394.932, F.S.; requiring the Justice Administrative Commission to maintain a registry of mental health and other experts; providing for advertising of the registry; requiring the commission to advise registry users that it is their responsibility to verify a listed person's qualifications; providing for electronic publication; providing an effective date.

—was read the second time by title.

On motion by Rep. Seiler, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative(s) Seiler offered the following:

(Amendment Bar Code: 709033)

**Amendment 1**—Remove line 40 and insert: determine whether the person is

Rep. Seiler moved the adoption of the amendment, which was adopted.

On motion by Rep. Negron, the rules were waived and HB 5021 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 743

Speaker Bense in the Chair.

Yeas—115

Adams	Bogdanoff	Dean	Gottlieb
Allen	Bowen	Domino	Grant
Altman	Brandenburg	Evers	Greenstein
Ambler	Brown	Farkas	Grimsley
Anderson	Brummer	Fields	Harrell
Antone	Brutus	Flores	Hasner
Arza	Bucher	Galvano	Hays
Attkisson	Bullard	Gannon	Henriquez
Ausley	Cannon	Garcia	Holloway
Barreiro	Carroll	Gardiner	Homan
Bean	Clarke	Gelber	Hukill
Bendross-Mindingall	Coley	Gibson, A.	Johnson
Bense	Cretul	Gibson, H.	Jordan
Benson	Cusack	Glorioso	Joyner
Berfield	Davis, D.	Goldstein	Justice
Bilirakis	Davis, M.	Goodlette	Kendrick

Kottkamp	Mealor	Richardson	Smith
Kravitz	Murzin	Rivera	Sobel
Kreegel	Needelman	Robaina	Sorensen
Kyle	Negron	Roberson	Stansel
Legg	Patterson	Ross	Stargel
Littlefield	Pickens	Rubio	Taylor
Llorente	Planas	Russell	Traviesa
Lopez-Cantera	Poppell	Ryan	Troutman
Machek	Porth	Sands	Vana
Mahon	Proctor	Sansom	Waters
Mayfield	Quinones	Seiler	Williams
McInvale	Reagan	Simmons	Zapata
Meadows	Rice	Slosberg	

Nays—None

So the bill passed, as amended, and was certified to the Senate.

**HB 5023**—A bill to be entitled An act relating to employee benefits; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

—was read the second time by title. On motion by Rep. Berfield, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 744

Speaker Bense in the Chair.

Yeas—116

Adams	Cusack	Hukill	Proctor
Allen	Davis, D.	Johnson	Quinones
Altman	Davis, M.	Jordan	Reagan
Ambler	Dean	Joyner	Rice
Anderson	Domino	Justice	Richardson
Antone	Evers	Kendrick	Rivera
Arza	Farkas	Kottkamp	Robaina
Attkisson	Fields	Kravitz	Roberson
Ausley	Flores	Kreegel	Ross
Barreiro	Galvano	Kyle	Rubio
Bean	Gannon	Legg	Russell
Bendross-Mindingall	Garcia	Littlefield	Ryan
Bense	Gardiner	Llorente	Sands
Benson	Gelber	Lopez-Cantera	Sansom
Berfield	Gibson, A.	Machek	Seiler
Bilirakis	Gibson, H.	Mahon	Simmons
Bogdanoff	Glorioso	Mayfield	Slosberg
Bowen	Goldstein	McInvale	Smith
Brandenburg	Goodlette	Meadows	Sobel
Brown	Gottlieb	Mealor	Sorensen
Brummer	Grant	Murzin	Stansel
Brutus	Greenstein	Needelman	Stargel
Bucher	Grimsley	Negron	Taylor
Bullard	Harrell	Patterson	Traviesa
Cannon	Hasner	Peterman	Troutman
Carroll	Hays	Pickens	Vana
Clarke	Henriquez	Planas	Waters
Coley	Holloway	Poppell	Williams
Cretul	Homan	Porth	Zapata

Nays—None

So the bill passed and was certified to the Senate.

**HB 5025**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2006, and July 1, 2007; providing a declaration of important state interest; providing an effective date.

—was read the second time by title. On motion by Rep. Berfield, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 745

Speaker Bense in the Chair.

Yeas—115

Adams	Cusack	Hukill	Quinones
Allen	Davis, D.	Johnson	Reagan
Altman	Davis, M.	Jordan	Rice
Ambler	Dean	Joyner	Richardson
Anderson	Domino	Justice	Rivera
Antone	Evers	Kendrick	Robaina
Arza	Farkas	Kottkamp	Roberson
Attkisson	Fields	Kravitz	Ross
Ausley	Flores	Kreegel	Rubio
Barreiro	Galvano	Kyle	Russell
Bean	Gannon	Legg	Ryan
Bendross-Mindingall	Garcia	Littlefield	Sands
Bense	Gardiner	Llorente	Sansom
Benson	Gelber	Lopez-Cantera	Seiler
Berfield	Gibson, A.	Machek	Simmons
Bilirakis	Gibson, H.	Mahon	Slosberg
Bogdanoff	Glorioso	Mayfield	Smith
Bowen	Goldstein	McInvale	Sobel
Brandenburg	Goodlette	Meadows	Sorensen
Brown	Gottlieb	Mealor	Stansel
Brummer	Grant	Murzin	Stargel
Brutus	Greenstein	Needelman	Taylor
Bucher	Grimsley	Negron	Traviesa
Bullard	Harrell	Patterson	Troutman
Cannon	Hasner	Pickens	Vana
Carroll	Hays	Planas	Waters
Clarke	Henriquez	Poppell	Williams
Coley	Holloway	Porth	Zapata
Cretul	Homan	Proctor	

Nays—None

Votes after roll call:

Yeas to Nays—Bucher

So the bill passed and was certified to the Senate.

**HB 5027**—A bill to be entitled An act relating to distributions from the Fuel Tax Collection Trust Fund; amending s. 206.9945, F.S.; providing for the distribution of funds to the Florida Coastal Protection Trust Fund; specifying that provisions relative to the distribution of funds to the Inland Protection Trust Fund do not apply to the distribution of funds to the Florida Coastal Protection Trust Fund; providing an effective date.

—was read the second time by title. On motion by Rep. Mayfield, the rules were waived and HB 5027 was read the third time by title. On passage, the vote was:

Session Vote Sequence: 746

Speaker Bense in the Chair.

Yeas—114

Adams	Bendross-Mindingall	Bucher	Domino
Allen	Bense	Bullard	Evers
Altman	Benson	Cannon	Farkas
Ambler	Berfield	Carroll	Fields
Anderson	Bilirakis	Clarke	Flores
Antone	Bogdanoff	Coley	Galvano
Arza	Bowen	Cretul	Gannon
Attkisson	Brandenburg	Cusack	Garcia
Ausley	Brown	Davis, D.	Gardiner
Barreiro	Brummer	Davis, M.	Gelber
Bean	Brutus	Dean	Gibson, A.

Gibson, H.	Justice	Patterson	Sansom
Glorioso	Kendrick	Pickens	Seiler
Goldstein	Kottkamp	Planas	Simmons
Goodlette	Kravitz	Poppell	Slosberg
Gottlieb	Kreegel	Porth	Smith
Grant	Kyle	Proctor	Sobel
Greenstein	Legg	Quinones	Sorensen
Grimsley	Littlefield	Reagan	Stansel
Harrell	Llorente	Rice	Stargel
Hasner	Lopez-Cantera	Richardson	Taylor
Hays	Machek	Rivera	Traviesa
Henriquez	Mayfield	Robaina	Troutman
Holloway	McInvale	Roberson	Vana
Homan	Meadows	Ross	Waters
Hukill	Mealor	Rubio	Williams
Johnson	Murzin	Russell	Zapata
Jordan	Needelman	Ryan	
Joyner	Negron	Sands	

Nays—None

So the bill passed and was certified to the Senate.

### Motion

On motion by Rep. Negron, the staff was permitted to make technical corrections to the general appropriations bill and related legislation.

### Immediately Certified

On motion by Rep. Negron, the rules were waived and **HB 5009**, **HB 5013**, **HB 5015**, **HB 5017**, **HB 5023**, **HB 5025**, and **HB 5027**, which passed the House earlier today, were immediately certified to the Senate; and **HB 5001**, **HB 5003**, **HB 5005**, **HB 5007**, **HB 5011**, **HB 5019**, and **HB 5021**, which passed the House earlier today, were immediately certified to the Senate after engrossment.

### Withdrawal of Motion

Rep. Stargel withdrew his motion to spread remarks on Substitute Amendment 10 to HB 7087 upon the *Journal* (shown in the *Journal* on page 286, March 23).

### Motion to Adjourn

Rep. Rubio moved that the House adjourn for the purpose of receiving reports, holding council and committee meetings, and conducting other House business, to reconvene at 1:00 p.m., Tuesday, April 18, or upon call of the Chair. The motion was agreed to.

### Messages from the Senate

*The Honorable Allan Bense, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 95.

*Faye W. Blanton, Secretary*

The above bill was ordered enrolled.

*The Honorable Allan Bense, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 219.

*Faye W. Blanton, Secretary*

The above bill was ordered enrolled.

### Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Sansom:

Yeas—April 5: 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712

Yeas to Nays—April 5: 702

### Cosponsors

HB 19—Galvano

HB 37—Antone

HB 47—Benson, Goldstein, Homan

HB 65—Seiler

HB 73—Cretul

HB 97—Antone, Brandenburg, Gottlieb, Hays, Taylor, Williams

HB 141—Clarke

HB 151—Homan

HB 191—Henriquez

HB 199—Murzin

HB 229—Patterson

HB 249—Hays, Homan, Needelman

HB 255—Antone

HB 261—Kendrick

HB 343—Roberson

HB 469—Roberson

HB 483—Homan

HB 505—Homan, Zapata

HB 527—Homan

HB 573—Cretul, Homan

HB 587—Homan

HB 615—Antone

HJR 653—Bucher

HB 761—Clarke, M. Davis, Kreegel, Reagan

HB 807—Brandenburg

HB 849—Roberson

HB 1029—Kreegel

HB 1139—Hays

HB 1147—Bucher

HB 1167—Carroll, Homan, Legg, Williams

HB 1175—Rice

HB 1191—Farkas

HB 1265—Clarke

HB 1349—Jennings

HB 1391—Clarke

HB 1489—Murzin

HB 1567—Adams, Ambler, Antone, Baxley, Carroll, Harrell, Hays, Homan, Murzin, Stansel, Williams

HJR 1569—Adams, Ambler, Baxley, Carroll, Harrell, Hays, Rice, Stansel

HJR 1571—Adams, Allen, Ambler, Baxley, Carroll, Harrell, Hays, Reagan, Smith, Stansel

HB 1611—Sobel

HB 7041—Homan

HB 7087—Homan

HB 7127—Antone, Vana

HB 7245—Rice, Sobel

HR 9033—Glorioso, Joyner, Littlefield

HR 9041—Glorioso, Joyner, Littlefield

HR 9067—Glorioso, Joyner, Littlefield

HR 9077—Glorioso, Littlefield

## Introduction and Reference

By Representative Goldstein—

**HR 9091**—A resolution designating October 2006 as "Italian-American Month" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

## House Resolutions Adopted by Publication

At the request of Rep. Garcia—

**HR 9059**—A resolution recognizing November 13-19, 2006, as "Spinal Cord Injury Awareness Week" in Florida.

WHEREAS, the central nervous system is made up of the brain and the spinal cord, the latter of which is considered the body's "information superhighway" because its bundles of neurons carry signals to and from the brain, controlling many bodily functions; however, after a spinal cord injury, damaged neurons can no longer emit signals and the injured person suffers permanent loss of sensory perception and muscle control, and

WHEREAS, there are currently between 250,000 and 400,000 individuals in the United States who have sustained spinal cord injuries, and it is estimated that the annual incidence of spinal cord injury in the nation, not including victims who die at the scene of an accident, increases by roughly 11,000 new cases each year, and

WHEREAS, the leading causes of spinal cord injury are automobile accidents, falls, gunshot wounds, and recreational sporting accidents, with 80 percent of such injuries occurring in men and 20 percent in women, and the most common age of victims of spinal cord injury is 19 years, and

WHEREAS, during the past 15 years, scientists have made major breakthroughs in the understanding of how damaged neurons may be encouraged to regenerate and gain restored function and in methods designed to improve the quality of life for injured patients in such critical areas as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation, which has funded research aimed not only at finding a cure for paralysis but also at improving the overall quality of life for individuals who are suffering from this debilitating condition, will devote the week of November 13-19, 2006, to working with local governments and schools in an effort to educate Floridians as to the causes and treatments of spinal cord injuries and to stress ways to prevent the occurrence of such injuries, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives recognizes the week of November 13-19, 2006, as "Spinal Cord Injury Awareness Week" in Florida and urges all Floridians to make themselves aware of the causes and prevention of spinal cord injuries.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Justice—

**HR 9081**—A resolution honoring the Phi Theta Kappa 2006 All-Florida Academic Team.

WHEREAS, April 6, 2006, "Florida Phi Theta Kappa Day," is an appropriate time for the Legislature of the State of Florida to recognize and salute Phi Theta Kappa, the esteemed international honor society for community and junior colleges, and

WHEREAS, special commendations should be extended to the outstanding scholars who comprise the 2006 All-Florida Academic Team, a team of highly successful community college students assembled by the Florida Community College System, and

WHEREAS, 112 students from Florida's Community College System and one private institution, Florida College, were named to the 2006 All-Florida Academic Team, and

WHEREAS, based on the national ranking of these students in the All-USA Academic Team competition sponsored by USA Today and Phi Theta Kappa, which is recognized internationally, nationally, and in the State of Florida as the primary community college organization for the recognition of academic achievement, leadership, and service to the community, the following students comprise the 2006 All-Florida Academic Team:

### 2006 ALL-FLORIDA ACADEMIC TEAM

Benjamin Abbott, Lake-Sumter Community College  
 Ibrahim Abiola, Hillsborough Community College  
 Ayesha Ahmed, Broward Community College  
 Roberta Jean Arceneaux, Polk Community College  
 Lori Azadian, Pasco-Hernando Community College  
 Ryan Bailey, Indian River Community College  
 Jamie Baker, Palm Beach Community College  
 Brent Balkaran, Lake-Sumter Community College  
 Jonathan Banks, Santa Fe Community College  
 Erika Barger, Daytona Beach Community College  
 Leslie-Ann Barr, Tallahassee Community College  
 Lisa Barron, St. Petersburg College  
 Danielle Beville, Lake-Sumter Community College  
 Micah Bingham, Florida College  
 Paula Marie Bird, Polk Community College  
 Jennifer Bishop, Indian River Community College  
 Faryn Bouse, Indian River Community College  
 Virginia Brantley, North Florida Community College  
 Tran Bui, Manatee Community College  
 Rebeca Campos, Palm Beach Community College  
 April Card, Tallahassee Community College  
 Derek Cartwright, Brevard Community College  
 Velma Claypool, Brevard Community College  
 Amy Cook, Okaloosa-Walton College  
 Erin Costello, St. Petersburg College  
 Jennifer Cox, Hillsborough Community College

Anna Curington, Pasco-Hernando Community College  
 Ximena Da Silva Tavares, Miami Dade College  
 Derek Demeter, Seminole Community College  
 Erik Desrosiers, Indian River Community College  
 Forrest Dix, Pasco-Hernando Community College  
 George Doumanian, Jr., St. Petersburg College  
 Livia Dragan, Valencia Community College  
 Camille Drummond, St. Petersburg College  
 Grace-Ann Edwards, Broward Community College  
 Jonathan Engel, Florida College  
 Eric Eves, Miami Dade College  
 Jennifer Gager, Okaloosa-Walton College  
 Charles Garrett, Palm Beach Community College  
 Kimberly Garske, Chipola College  
 Arnaldo Gil, Miami Dade College  
 Kara Groom, Pasco-Hernando Community College  
 Ashley Harper, Brevard Community College  
 Meghan Harris, North Florida Community College  
 Cassandra Hull, Gulf Coast Community College  
 Arthur Ianuzzi, Indian River Community College  
 Diana Ivy, Valencia Community College  
 Samantha Jean, Edison College  
 Anushka Joseph, Broward Community College  
 Jessica Karacia, Manatee Community College  
 Tamara Krause, Florida Community College at Jacksonville  
 Kristi Kruthek, Gulf Coast Community College  
 Delilah Kuzan, Pasco-Hernando Community College  
 Lisa Lammert, St. Petersburg College  
 Deana Lawrence, Valencia Community College  
 Chelsea Lawson, Indian River Community College  
 Steven Lemaster, Pensacola Junior College  
 Allan Leonor, Lake-Sumter Community College  
 Marie Louis, Florida Keys Community College  
 George Mallone, Hillsborough Community College  
 Christi Manuel, St. Johns River Community College  
 Maria Matienzo, Broward Community College  
 Daniel Matoma, Brevard Community College  
 Virginia May, St. Petersburg College  
 Sheena Maynard, Brevard Community College  
 Sally-Anne McDonnell, Broward Community College  
 Ashley McGrath, Brevard Community College  
 Dawn McMahon, Lake-Sumter Community College  
 Loren Mejia, Miami Dade College  
 Tallulah Micah, South Florida Community College  
 Jason Mlot, Santa Fe Community College  
 Kathleen Molero, Miami Dade College  
 Sean Murawski, Palm Beach Community College  
 Sindy Noguera, Miami Dade College  
 Noelle Norris, Central Florida Community College  
 Peggy O'Connor, Manatee Community College  
 Robin Olafemi, Hillsborough Community College  
 Tamara Paquette, Edison College  
 Corina Pascal, Valencia Community College  
 Vanessa Patino, St. Johns River Community College  
 Caitlin Pierson, Okaloosa-Walton College  
 Cassandra Prichard, Chipola College  
 DeVonna Prinzi, Hillsborough Community College  
 Kristin Rieckmann, Lake-Sumter Community College  
 Lindsey Russ, Hillsborough Community College  
 Hans Saint-Eloi Cadely, Miami Dade College  
 Kimberly Sandel, Indian River Community College  
 Craig Schwenn, Jr., Florida Community College at Jacksonville  
 Yonit Shames, Pensacola Junior College  
 Valerie Sheehan, Daytona Beach Community College  
 Melanie Shelton, St. Petersburg College  
 Victoria Spence, Okaloosa-Walton College  
 Todd Stemper, Polk Community College

Sarah Stoeckel, Brevard Community College  
 Jordan Stone, St. Petersburg College  
 Paige Stout, Miami Dade College  
 Alexander Suttom, Okaloosa-Walton College  
 Marvin Tador, Brevard Community College  
 Patricia Timerman, Miami Dade College  
 Jacqueline Tovar, Polk Community College  
 Sonia Vega, Valencia Community College  
 Claudette Villoch, Miami Dade College  
 Elena Vlasenko, Valencia Community College  
 Adam Warcewicz, Manatee Community College  
 Daniel Webb, St. Petersburg College  
 John Wich, Indian River Community College  
 Christopher Widener, St. Johns River Community College  
 Angie Wilson-Flores, Indian River Community College  
 Cheryl Worlow, Indian River Community College  
 Amanda Wynn, Central Florida Community College  
 Dale Yeager, Brevard Community College  
 Maksim Yermakov, Broward Community College

WHEREAS, each member of the 2006 All-Florida Academic Team has demonstrated impressive intellect and leadership and a determination to achieve academic excellence, and

WHEREAS, the praiseworthy and devoted efforts of the members of Phi Theta Kappa's All-Florida Academic Team have earned for them and their academic institutions the respect and admiration of the House of Representatives of the State of Florida and of the citizenry of this state, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the Florida House of Representatives hereby honors and congratulates Phi Theta Kappa, the Florida Community College System, and the members of the 2006 All-Florida Academic Team and commends the team members' outstanding competitive spirit evidenced by their accomplishments.

—was read and adopted by publication pursuant to Rule 10.16.

## Reports of Councils and Standing Committees

### Received April 5:

The State Infrastructure Council reported the following favorably:  
HB 415 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Governmental Operations Committee reported the following favorably:  
HB 501

The above bill was transmitted to the next council or committee of reference, the Health & Families Council.

The Justice Council reported the following favorably:  
HB 543 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Governmental Operations Committee reported the following favorably:  
HB 693

The above bill was transmitted to the next council or committee of reference, the Agriculture & Environment Appropriations Committee.

The Governmental Operations Committee reported the following favorably:  
HB 755

The above bill was transmitted to the next council or committee of reference, the Business Regulation Committee.

The Business Regulation Committee reported the following favorably:  
HB 849

The above bill was transmitted to the next council or committee of reference, the Judiciary Appropriations Committee.

The Local Government Council reported the following favorably:  
HB 959

The above bill was transmitted to the next council or committee of reference, the Transportation & Economic Development Appropriations Committee.

The Governmental Operations Committee reported the following favorably:  
HB 977

The above bill was transmitted to the next council or committee of reference, the Local Government Council.

The Economic Development, Trade & Banking Committee reported the following favorably:  
HB 1019

The above bill was transmitted to the next council or committee of reference, the Criminal Justice Appropriations Committee.

The Economic Development, Trade & Banking Committee reported the following favorably:  
HB 1109

The above bill was transmitted to the next council or committee of reference, the State Administration Appropriations Committee.

The Insurance Committee reported the following favorably:  
HB 1113 with committee substitute

The above bill was transmitted to the next council or committee of reference, the State Administration Appropriations Committee, subject to review under Rule 6.3.

The Business Regulation Committee reported the following favorably:  
HB 1139

The above bill was transmitted to the next council or committee of reference, the Justice Council.

The Local Government Council reported the following favorably:  
HB 1161

The above bill was transmitted to the next council or committee of reference, the Fiscal Council.

The Local Government Council reported the following favorably:  
HB 1165

The above bill was transmitted to the next council or committee of reference, the Fiscal Council.

The Local Government Council reported the following favorably:  
HB 1245

The above bill was transmitted to the next council or committee of reference, the Fiscal Council.

The Local Government Council reported the following favorably:  
HB 1251

The above bill was transmitted to the next council or committee of reference, the Fiscal Council.

The Insurance Committee reported the following favorably:  
HB 1265

The above bill was transmitted to the next council or committee of reference, the Health Care Appropriations Committee.

The Insurance Committee reported the following favorably:  
HB 1391

The above bill was transmitted to the next council or committee of reference, the Health Care Regulation Committee.

The Insurance Committee reported the following favorably:  
HB 1393

The above bill was transmitted to the next council or committee of reference, the State Administration Appropriations Committee.

The Business Regulation Committee reported the following favorably:  
HB 1425

The above bill was transmitted to the next council or committee of reference, the State Administration Appropriations Committee.

The Governmental Operations Committee reported the following favorably:  
HB 1435

The above bill was transmitted to the next council or committee of reference, the State Administration Appropriations Committee.

The Local Government Council reported the following favorably:  
HB 1483

The above bill was transmitted to the next council or committee of reference, the Finance & Tax Committee.

The Local Government Council reported the following favorably:  
HB 1497

The above bill was placed on the Calendar of the House.

The Governmental Operations Committee reported the following favorably:  
HB 1507

The above bill was transmitted to the next council or committee of reference, the Justice Council.

The Local Government Council reported the following favorably:  
HB 1585

The above bill was placed on the Calendar of the House.

The Local Government Council reported the following favorably:  
HB 1631

The above bill was transmitted to the next council or committee of reference, the Transportation Committee.

The State Administration Council reported the following favorably:  
HB 7111

The above bill was placed on the Calendar of the House.

The State Administration Council reported the following favorably:  
HB 7113

The above bill was placed on the Calendar of the House.

The State Administration Council reported the following favorably:  
HB 7127

The above bill was placed on the Calendar of the House.

The Economic Development, Trade & Banking Committee reported the following favorably:  
HB 7213

The above bill was transmitted to the next council or committee of reference, the Fiscal Council.

The State Administration Council reported the following favorably:  
HB 7243

The above bill was placed on the Calendar of the House.

**Received April 6:**

The Juvenile Justice Committee reported the following favorably:  
HB 27 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Fiscal Council, subject to review under Rule 6.3.

The Military & Veteran Affairs Committee reported the following favorably:  
HB 397 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Education Appropriations Committee, subject to review under Rule 6.3.

The Transportation & Economic Development Appropriations Committee reported the following favorably:  
HB 423 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Commerce Council, subject to review under Rule 6.3.

The Domestic Security Committee reported the following favorably:  
HB 545 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Health Care General Committee, subject to review under Rule 6.3.

The Governmental Operations Committee reported the following favorably:  
HB 583 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Justice Council, subject to review under Rule 6.3.

The Insurance Committee reported the following favorably:  
HB 621 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Health & Families Council, subject to review under Rule 6.3.

The Transportation & Economic Development Appropriations Committee reported the following favorably:  
HB 661 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Commerce Council, subject to review under Rule 6.3.

The Growth Management Committee reported the following favorably:  
HB 703

The above bill was transmitted to the next council or committee of reference, the Agriculture & Environment Appropriations Committee.

The Community Colleges & Workforce Committee reported the following favorably:  
HB 771 with committee substitute

The above bill was transmitted to the next council or committee of reference, the State Administration Appropriations Committee, subject to review under Rule 6.3.

The Growth Management Committee reported the following favorably:  
HB 835 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Transportation & Economic Development Appropriations Committee, subject to review under Rule 6.3.

The Education Appropriations Committee reported the following favorably:  
HB 987 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Fiscal Council, subject to review under Rule 6.3.

The Insurance Committee reported the following favorably:  
HB 1013 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Health Care General Committee, subject to review under Rule 6.3.

The Transportation & Economic Development Appropriations Committee reported the following favorably:  
HB 1037 with committee substitute

The above bill was transmitted to the next council or committee of reference, the State Administration Council, subject to review under Rule 6.3.

The Transportation Committee reported the following favorably:  
HB 1115 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Local Government Council, subject to review under Rule 6.3.

The State Administration Council reported the following favorably:  
HB 1129 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Military & Veteran Affairs Committee reported the following favorably:  
HB 1153 with committee substitute

The above bill was transmitted to the next council or committee of reference, the State Resources Council, subject to review under Rule 6.3.

The Growth Management Committee reported the following favorably:  
HB 1187 with committee substitute

The above bill was transmitted to the next council or committee of reference, the State Infrastructure Council, subject to review under Rule 6.3.

The Utilities & Telecommunications Committee reported the following favorably:

HB 1199 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Finance & Tax Committee, subject to review under Rule 6.3.

The Transportation & Economic Development Appropriations Committee reported the following favorably:

HB 1211 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Commerce Council, subject to review under Rule 6.3.

The Education Appropriations Committee reported the following favorably:

HB 1237 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Education Council, subject to review under Rule 6.3.

The Utilities & Telecommunications Committee reported the following favorably:

HB 1259

The above bill was transmitted to the next council or committee of reference, the Environmental Regulation Committee.

The Future of Florida's Families Committee reported the following favorably:

HB 1365 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Health Care Appropriations Committee, subject to review under Rule 6.3.

The Insurance Committee reported the following favorably:

HB 1501 with committee substitute

The above bill was transmitted to the next council or committee of reference, the State Resources Council, subject to review under Rule 6.3.

The Civil Justice Committee reported the following favorably:

HB 1521 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Health Care Appropriations Committee, subject to review under Rule 6.3.

The Growth Management Committee reported the following favorably:  
HB 1583 with committee substitute

The above bill was transmitted to the next council or committee of reference, the State Infrastructure Council, subject to review under Rule 6.3.

The Local Government Council reported the following favorably:  
HB 1633 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

The Education Appropriations Committee reported the following favorably:

HB 7097 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Education Council, subject to review under Rule 6.3.

The Education Appropriations Committee reported the following favorably:

HB 7119 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Education Council, subject to review under Rule 6.3.

The Education Appropriations Committee reported the following favorably:

HB 7171 with committee substitute

The above bill was transmitted to the next council or committee of reference, the Education Council, subject to review under Rule 6.3.

The State Resources Council reported the following favorably:

HB 7175 with council substitute

The above bill was placed on the Calendar of the House, subject to review under Rule 6.3.

### **Excused**

Rep. Baxley after 4:24 p.m.; Reps. Culp, Detert, Jennings; Rep. Sorensen until 11:23 a.m.

### **Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 5:05 p.m., to reconvene at 1:00 p.m., Tuesday, April 18, or upon call of the Chair.